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December 1994

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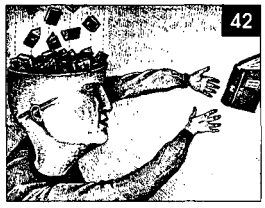

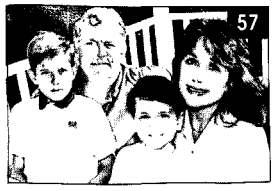

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Paternalism Test

By Virginia I. Postrel

Regulation is the real test of the "anti-government" mood.

TIMES-MIRROR POLLSTERS HAVE DISCOVERED some interesting changes in public opinion since they started asking certain questions in 1987. Paternalism is down; self-reliance is up.

Over the past seven years, for instance, the number of people who say the federal government controls too much of our daily lives has jumped from 57 percent of those surveyed to 69 percent. The percentage who say business regulations usually do more harm than good has jumped from 55 percent to 63 percent. And the number who say it's government's responsibility to take care of people who can't take care of themselves has dropped from 71 percent to 57 percent.

This is good news for those of us who'd like to see government stick to a few limited functions and otherwise stay out of our faces. The public mood seems to be swinging our way.

Maybe. Maybe not. A few indicators that euphoria may not be in order:

• The very same Times-Mirror survey reports that 78 percent of the public thinks the government should do "whatever it takes to protect the environment." Eighty-two percent want more government controls—which means, inevitably, more regulations on American citizens and American businesses—to keep out immigrants. And 59 percent believe the government should guarantee every American food and a place to sleep, an essentially steady figure since 1987.

• When the Republicans gathered House candidates to sign a contract with voters, they emphasized cutting taxes and attacking politicians through term limits, smaller congressional staffs, and applying business regulations to Congress. The GOP contract does contain potentially important mechanisms to reduce regulation, such as a bi-annual federal regulatory budget. But the Republicans didn't exactly make a big deal of their deregulatory agenda, and they certainly didn't go after specific regulations (notably the burdensome Bush legacy) the way they attacked specific Clinton taxes. GOP leaders did not see a voting public motivated by the belief that the federal government controls too much of our daily lives.

• The Human Rights Campaign Fund, a gay-rights group, happily notes that, in a recent survey, 62 percent of Washington-area companies said they include sexual orientation in their non-discrimination policies. The fund's conclusion: Since such policies are catching on voluntarily, the federal government should make them mandatory. That anything popular must be required is a political truism not limited to gay-rights groups.

• In California, it is now illegal for companies to require female employees to wear skirts to work. (It is still OK to make men wear ties.) When he signed the bill, Gov. Pete Wilson declared, "Women make important business decisions everyday. Indeed, working women should be able to make the simple choice of the professional business attire they wish to wear." Neither Wilson nor the bill's sponsors imagine a situation in which a *woman* might "make the important business decision" to require *her* employees to wear skirts. Nor did they question whether workplace attire is really any business of the state of California.

• Finally, consider the *Fair Housing Laws Advertising Training Manual* put out by the California Newspaper Publishers Association, a group whose members are presumably protected by the First Amendment's provision that "Congress shall make *no* law" restricting freedom of the press. (Italics unfortunately not in the original.) Ignoring this constitutional provision, Title VIII of the Civil Rights Act of 1964 makes it unlawful to "make, print, or publish...any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based" on the usual protected categories. The courts take the *any* in "any preference" far more literally than they take the *no* in "no law."

Hence, the training manual advises, newspapers should assume it is illegal to advertise that a house is "near the Mormon temple" or "within walking distance of synagogues" (religious discrimination); that it is in an integrated neighborhood or in Koreatown (race or ethnicity); that it has facilities "perfect for runners" (disability) or a "yard great for children" (familial/marital status); or that it is an "executive home" or is in a "prestigious neighborhood" (race, which suggests a certain racism on the part of regulators).

It is even illegal to specify in an ad the sex of a roommate: "While private discrimination is allowed in some cases, *all* discriminatory advertisements are prohibited. State and federal law indicate, for example, that it is unlawful for a female looking to share a room to specify 'female preferred.' Persons wishing to rent to persons with specific characteristics are not able to use newspapers as a screening device." So much for keeping government out of our bedrooms.

HOW FAR DOES REGULATION HAVE TO EXtend before it produces a real political backlash? We may soon find out.

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spending come up for a vote in every Congress. Regulation, once in place, generally lasts forever and increases yearly.

And most regulations come wrapped in a cloak of good, often superbly good, intentions. Imagine, for instance, how hard it would be to wipe out those housing-ad rules when it means attacking a provision in the Civil Rights Act. Americans may be irritated at bureaucratic intrusions into our own lives, but an awful lot of us still want the government to tell other people what they can and cannot do.

This past year's health-care debate suggests that Americans can indeed be convinced that adding new regulations will do more harm than good. The question now is whether the new Congress, and the allegedly anti-government public, can be convinced that subtracting old regulations will do more good than harm.

That, not cutting taxes or reforming welfare, will be the real test of whether we're ready to shed paternalism for self-reliance. Are we willing to let people decide for themselves with whom to share their bedrooms and what their employees can wear to work? Until we are, the "anti-Washington" mood will remain little more than a rhetorical fad.

Arrested Development

By Nick Gillespie

Juvenile justice reforms need to dig deeper.

IN CHICAGO, A 14-YEAR-OLD GIRL IS shot to death by an 11-year-old gang member who is in turn found dead a few days later, two bullets in the back of his head; his suspected killers are 14 and 16. In Fuquay-Varina, North Carolina, a 13-year-old boy is accused of beating a 22-year-old female neighbor with a mop handle and then raping her. In Somerset, Pennsylvania, a 14-year-old is charged with hammering nails into the heels of a younger boy.

These hellish snapshots flesh out the disturbing statistics on juvenile crime rates: Between 1983 and 1992, reports the FBI, juvenile arrest rates for violent crime jumped 128 percent for murder and non-negligent manslaughter (versus 9 percent for adults); 95 percent for aggravated assault (versus 69 percent); and 25 percent for rape (versus 14 percent). Adding to the fear is the sense things are only going to get worse.

As a Washington, D.C., Superior Court judge told *Time*, "Youngsters used to shoot each other in the body. Then in the head. Now they shoot each other in the face." Little wonder then that, as the *Los Angeles Times* puts it, "the rising demand for a crackdown on juvenile criminals" is "one of the most powerful trends in campaign 1994."

But it is far from clear whether the most politically salable reform, lowering the age at which offenders can be tried as adults (as 20 states did in the past year alone), will have much, if any, effect on violent juvenile crime. Designed to let courts impose longer sentences on children (typically, convicted juveniles cannot be incarcerated beyond their 25th birthday, regardless of the crime), it is inherently a rearguard action.

"The more draconian the sentence," writes UCLA criminologist James Q. Wilson, "the less (on the average) the chance of its being imposed; plea bargains see to that....The most draconian sentences will...tend to fall on adult offenders nearing the end of their criminal careers and not on the young ones who are in their criminally most productive years."

What is needed instead is a juvenile justice system that teaches young criminals responsibility for their behavior at every turn, rather than exculpating juveniles categorically until a final heinous act is committed. The current system, an artifact of Progressive-era politics, sees juvenile status as a defense against criminal re-

sponsibility. Accordingly, youthful offenders are usually given a number of "free rides" or "diversions" before any serious punishment is meted out. When sentencing does take place, the courts are often barred from using previous arrests and convictions in deciding on punishment. And since virtually every state seals or expunges juvenile records, offenders need not worry about prior convictions haunting them in the adult world.

This is exactly wrong. As Peter W. Greenwood of the RAND Corporation notes, "Studies of responses to punishment suggest that initial low levels of punishment and gradual escalation desensitize subjects and make them less likely to respond."

There is nothing particularly mysterious or elusive about reducing the incidence of juvenile crime. It will respond to the same thing that works with "adult" crime: raising the costs of criminal behavior, thereby making it less attractive as an alternative to lawful behavior.

Between 1950 and 1992, according to Justice Department statistics, the number of serious crimes per 100 people rose from 1.2 to 5.9, while the expected days in prison (the average sentence for serious offenses adjusted for the probability that offenders are actually sent to prison) dropped from 24 to 8. The only time during that period that serious crime rates (including juvenile ones) slowed was during the 1980s, when expected days in prison rose. Such consistent inverse correlations suggest that criminal behavior is ultimately a choice, not an inevitability.

It is particularly important for youthful offenders to learn that criminality is a choice, since long-term patterns of violent criminal behavior generally begin during the juvenile years and grow in intensity—it is rare when a murder, rape, or assault is a criminal's first crime. About one-third of all boys in the United States will be arrested before turning 18. While most will not be arrested again, for those who are, each successive arrest places them at higher and higher chances of being detained in the future, culminating in 90 percent probability for those with five or six arrests. University of Pennsylvania criminologist Marvin Wolfgang has identified the latter as the "chronic offenders," the 6 percent of boys who account for more than 50 percent of all arrests.

Each arrest, then, is an opportunity to deter the educable and incarcerate the incorrigible. By taking past criminal behavior and other meaningful contextual information into account at the sentencing stage and by maintaining a permanent, open record, the juvenile justice system can teach the youthful offender that "present-orientedness"—a trait common in criminals of all ages—is a weak guide at best, a self-defeating one at worst.

A variety of well-defined and sequenced sanctions, including individual mentoring, formal probation, at-home supervision, community service, non-secured group homes, and short-term incarceration in military-style boot camps or locked facilities, would allow the system to screen out salvageable offenders while providing long-term lock-up for those who remain a violent threat to society. These reforms come neither easily nor cheaply, but they are effective.

"We are terrified," writes UCLA's Wilson, "by the prospect of innocent people being gunned down at random, by youngsters who afterward show us the blank, unremorseful faces of seemingly feral, presocial beings." Violent youthful offenders are indeed "presocial beings." The current juvenile justice system does little to change that.

In Memoriam: Karl Popper

Sir Karl Popper, the Austrian philosopher of science, died on September 17 in England at the age of 92. He was one of the major anti-authoritarians of our troubled century.

He was anti-authoritarian in his politics. In his 1945 two-volume work *The Open Society and its Enemies*, he explored and criticized with cogency and passion the totalitarian views of government and society inherent in the ideas of some of his philosophical predecessors, particularly Plato, Hegel, and Marx. He inveighed mightily against "historicism," a much-confused term that to Popper meant the notion that history evinces laws of development that dictate the singular purpose toward which it strives. Popper saw this idea inextricably linked with a totalitarian political temperament.

He was also anti-authoritarian in his epistemology, the field where he did much of his philosophical work. To Popper, there was no final authority for deciding truth—although he fervently believed that truth exists, and that the purpose of science is to strive to reach it. He cut the Gordian Knot of the problem of induction—the question of how it is that humans come to sure knowledge of universal laws based on individual experience.

Popper maintained that there was no such thing as induction; we do not come to sure knowledge of universal laws from collecting observations. We theorize first and always, and then attempt to test our theories against empirical observations. He is most widely known for his principle of falsification, the notion that the true test of a theory's scientific status is that some empirical evidence could refute it. To Popper, the advance of science required a never-ending series of conjectures and attempts at refutation. His role in the philosophy of science was to apotheosize the spirit of free criticism, a spirit central to the open society he championed.

Popper was not a doctrinaire libertarian. Though a long-time friend and correspondent of F.A. Hayek's, he embraced social safety nets and believed in the efficacy of what he called "piecemeal social engineering" to ameliorate social problems. But he did fight brave intellectual battles for greater freedom against the dominant trends in both political and scientific philosophy.

The spirit of free inquiry and an open society that Popper championed will go a long way toward ensuring that his often-expressed optimism about the future of freedom and civilization will be borne out.

—Brian Doherty

Market Entrapment

Your article ("Viva La Evolution," Aug./ Sept.) was the most accurate portrait of Cuba I have seen. Usually the news media say that the Cuban people are happy and tirelessly working for communism, or that the government is on the verge of collapse. Neither is true.

I have a disagreement with the article, though. Cuba will never try real market reforms. I was in Cuba a few months ago, and my relatives and their friends told me that Fidel uses free-market reforms as entrapment. For example, say selling drugs in the United States became legal, and I decide to sell drugs. After a few months the government could make it illegal to sell drugs again and drag me into jail and demand that I tell them who my suppliers are.

In a communist country the government owns everything. If you are in business for yourself, you have to buy your products from someone. That someone is stealing from the government. Pretty soon the Cuban government will repeal all market laws, haul everyone into jail, and demand that the businessmen turn their suppliers in.

Richard Marin
Weehawken, NJ

Hitting the '80s

While I have yet to read Richard Mc-Kenzie's *What Went Right in the 1980s*, in "Hits of the '80s" (Aug./Sept.) he has misdiagnosed the negative reaction to his book. Greed, he seems to have forgotten, is a moral concept, not an economic one. In particular, it is a way of characterizing the aggressive pursuit of self-interest as evil. What the Left sensed about the "Reagan Revolution" was that his administration was trying (and even occasionally succeeding) to make it easier for creative, risk-taking entrepreneurs to make money.

The moral critics of the '80s hate that decade not despite, but because of, its successes. They have constructed a morality tale whereby the morality they despise—the morality of self-interest—leads inevitably to all our country's problems. Mr. McKenzie's work subverts that moral. But it does not subvert the morality behind the moral. To do that, the engine behind what went right in the '80s—the creative entrepreneur in selfish pursuit of his values—needs to be held up as a symbol of moral virtue, rather than of vice, in our culture. To the extent that his work at least covertly suggests this, the reaction of the intellectual left was to be expected.

James Lennox
Department of History and
Philosophy of Science
University of Pittsburgh
Pittsburgh, PA

Apologists for Reaganomics never use the most straightforward data to make their point. They never quote the broadest overall assessment of the economy, real Gross Domestic Product growth. Here's why. The GDP grew slower in the '80s (2.4 percent per year) than in the '50s (4.1 percent), the '60s (4.0 percent), and the '70s (2.9 percent). Recall that the '70s included an OPEC oil embargo, the demoralizing loss in Vietnam, and the worst financial markets since the Great Depression. Contrast that with all the positives that benefited the economy in the '80s, including the collapse in oil prices, the historic bull markets in stocks, bonds, and real estate, and the unprecedented levels of peacetime deficit spending. But even with all those '80s advantages, Reaganomics produced the slowest growth in four decades.

Another key statistical series shows that the average worker ended the decade making less. Real average hourly earnings for workers in manufacturing and services actually fell during the Reagan years. Today those earnings are at 1966 levels. These facts support the popularly held view that the Reagan economic record was a bust.

Michael G. Caracappa
Haddonfield, NJ

I lived in Pittsburgh during the 1980s, where I saw the American steel industry collapse. The mills have now been razed, the high-tech manufacturing sites we were promised never materialized, and now the only growth industry in Pittsburgh is prisons. There is no way that Mr. McKenzie is going to convince me that U.S. industrial production rose in the '80s—unless he's being disingenuous and including companies owned by U.S. corporations but located outside the country.

Edward Pervin
Indialantic, FL

Mr. McKenzie replies: I remain fascinated by people who criticize the 1980s and who refuse to read views that might be at odds with what they believe to be the case—and then admit that their minds can't be changed no matter what the evidence shows. There is not much I can say to them other than read what I have written, evaluate the entire argument as I have tried to present it, and then consider the possibility that I have tried to deal with claims of the critics as openly, fairly, and completely as reasonable.

I have said it before, but I will stress it

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here once again. My book *What Went Right in the 1980s* is not intended as a defense of Ronald Reagan or Reaganomics. I am neither a Republican nor a Democrat. I have no formal party allegiance. I give Ronald Reagan far less credit for what happened during the decade than do many others. If pressed to do so, I would give far more credit to the microchip (and to the international competitiveness inspired by technological developments) for the renewed prosperity (which was impaired by the reversal of the inflationary spiral of the 1970s) than to any set of federal policies. In my view, the success of the economy during that decade largely occurred in spite of what went wrong in Washington. In the end, I have tried in my book to deal only with what happened, not with what caused events to unfold as they did. As it happens, my findings stand in sharp contrast to many prevailing views.

Let me also add that I have in no way meant to suggest that everything went right in every part of the country during the last decade. A number of things went wrong during the decade, and my book recognizes them. I have shown that far more went right in the American economy than the critics, who are joined by two of the letter writers, have suggested. My admonition is simple: Read the book.

Engler's Briar Patch

The tone of Derek Green's "Engler's Angle" (Aug./Sept.) suggests that it is desirable to remove the public education funding debate from the cities and towns and centralize it at the state level for more uniformity and manageability, as if taxpayers have no right to craft local variations on some universal entitlement to the government/NEA version of a good education.

It's certainly not the poor taxpayer who will find Michigan's new school funding arrangement more manageable. He might find the time to campaign and lobby in his behalf in his own community but can seldom break away for even a day or two of inexpertly trying to be heard in the halls and corridors of the state capital.

Obviously Gov. Engler and company have tossed Br'er Rabbit (the Michigan Education Association) right into the briar patch, where their well-paid lobbyists can curry favor all year long with key legislators, without the worry of taxpayer involvement. The prior struggles over education funding were evidence that the taxpayer still had a fighting chance against the behemoth school lobby and its scary vision of ever-growing management and control of America's youth.

Now, thanks to Engler, less-resistible state taxes can be raised and raised and raised some more to feed the public-school lobby's insatiable demands. Any domestic peace attending these hikes will

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Jim McClarin
Nashua, NH

Mr. Green replies: Mr. McClarin correctly points out that one risk of centralizing public-school funding at the state level is some loss of local control over, as he puts it, the "right to craft local variations" in the type of education that schools offer students. I mention the problem (and other, more serious ones) in the article.

But in concluding that Gov. Engler and company have given the MEA even wider lobbying power (it's hard to imagine how anyone could have done that), Mr. McClarin misses some important points. First, Michigan's plan attempts to compensate for the effect of centralized funding by opening the way for a comprehensive, statewide charter school program. Charter schools offer a practical way for designing entire schools that fit local needs. Further, Michigan taxpayers are still able to levy property taxes on themselves in those districts that wish to raise funds beyond the state allowance. And mandatory tax caps and a shift from property to sales taxes make it unlikely that taxes will be any worse that they were before in Michigan.

Finally, Mr. McClarin suggests that poor voters will be less able to lobby at the state level than at the local level. That may be true. But all the local campaigning and lobbying in the world doesn't do much good when a school district has no money. That's one grievous inequity a centralized funding system, though far from perfect, can help relieve.

Property Fights

Rick Henderson accurately portrayed the fear and loathing spread by the environmental movement in our nation's capital ("Bill Killers," Aug./Sept.). Outside the Beltway, state capitals across the United States are also becoming property rights battlegrounds, with the greens pulling out all the stops to defeat regulatory reform measures.

Over the past two years, almost 100 bills to protect property rights have been introduced in 37 states. Ten states have passed such bills. The route these bills must travel to become law, however, is long and treacherous.

One of the unlucky bills that failed is from Mississippi. It would have compensated property owners if their land was devalued by 40 percent or more by state regulations. The greens finally killed it through a technical maneuver, but not before they dragged it and the whole takings debate through the mud—charging it would turn back the clock on race relations, bankrupt state treasuries, and allow big business to pollute the state at will (much the same arguments heard in D.C.). Environmentalists seized the opportunity to chirp up a deceitful rumor campaign to attack the bill. They were even successful in converting a prominent conservative Christian organization to their side by convincing them that the bill would allow the owners of topless bars to claim a taking if they were forced to close. The bill would not have had this effect.

The fact that legislators across America are introducing property rights legislation proves the issue is of great concern. Indeed, it is *the* civil rights issue of the 1990s and beyond. While advances have been made, the regulatory apparatus still deprives people of their right to own and use property responsibly.

David W. Almasi
Director of Media Relations
Defenders of Property Rights
Washington, D.C.

Involuntary Smoke

As one who has recently found himself in a position in which smoking was a free choice only to the extent that breathing was a free choice, I take exception to Jacob Sullum's argument ("The Rule of Lawton," Aug./Sept.) that "it doesn't matter that smoking is a free choice." Being a passive smoker has made me unable to sleep on transatlantic flights when I really needed the sleep. And flight attendants

and waitpersons (I can't believe I used that word!) often have the far-from-easy choice of choosing between breathing or eating when their work requires passage through smoking sections.

Smoking is more of a health hazard than generally believed because many of the studies of its dangers calculate the relative health of active smokers versus passive smokers and express the results as if they were differences between the health of smokers and nonsmokers. There aren't many nonsmokers around, although I, for one, would love to be one.

Marshall E. Deutsch
Sudbury, MA

Mr. Sullum replies: I am a bit confused by the beginning of Mr. Deutsch's letter, since I did not argue that "it doesn't matter that smoking is a free choice." On the contrary, I took issue with a product-liability law that seems to be based, in part, on that assumption.

Space does not allow a discussion of the evidence concerning the health effects of secondhand smoke. Suffice it to say that I do not find the evidence as convincing as Mr. Deutsch does. But even if we accept the idea that secondhand smoke is a health hazard, the risks involved are trivial. For example, the EPA estimates that being married to a smoker raises a woman's risk of getting lung cancer by 19 percent. That is a small increase in a very small risk; an insignificant concern for someone who lives with a smoker for many years, let alone someone exposed to secondhand smoke on an airplane or in a restaurant.

Of course, Mr. Deutsch may worry about possible health risks even when they are infinitesimal, and he may in any case be annoyed by tobacco smoke (as I sometimes am). Those are things he should consider before patronizing an airline or a restaurant that allows smoking. If he nevertheless chooses to fly on an airplane or eat in a restaurant where smoking is permitted, he has consented to exposure. To say that choices have consequences is not to say that choices do not exist.

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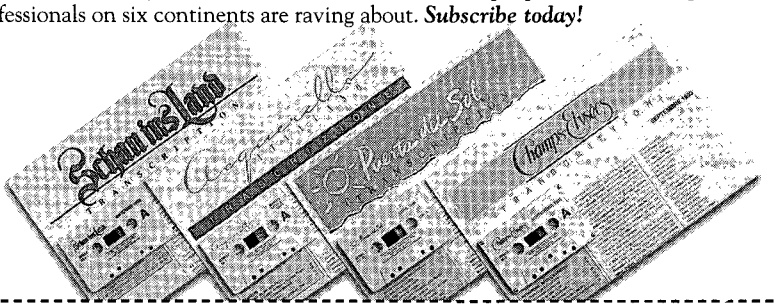

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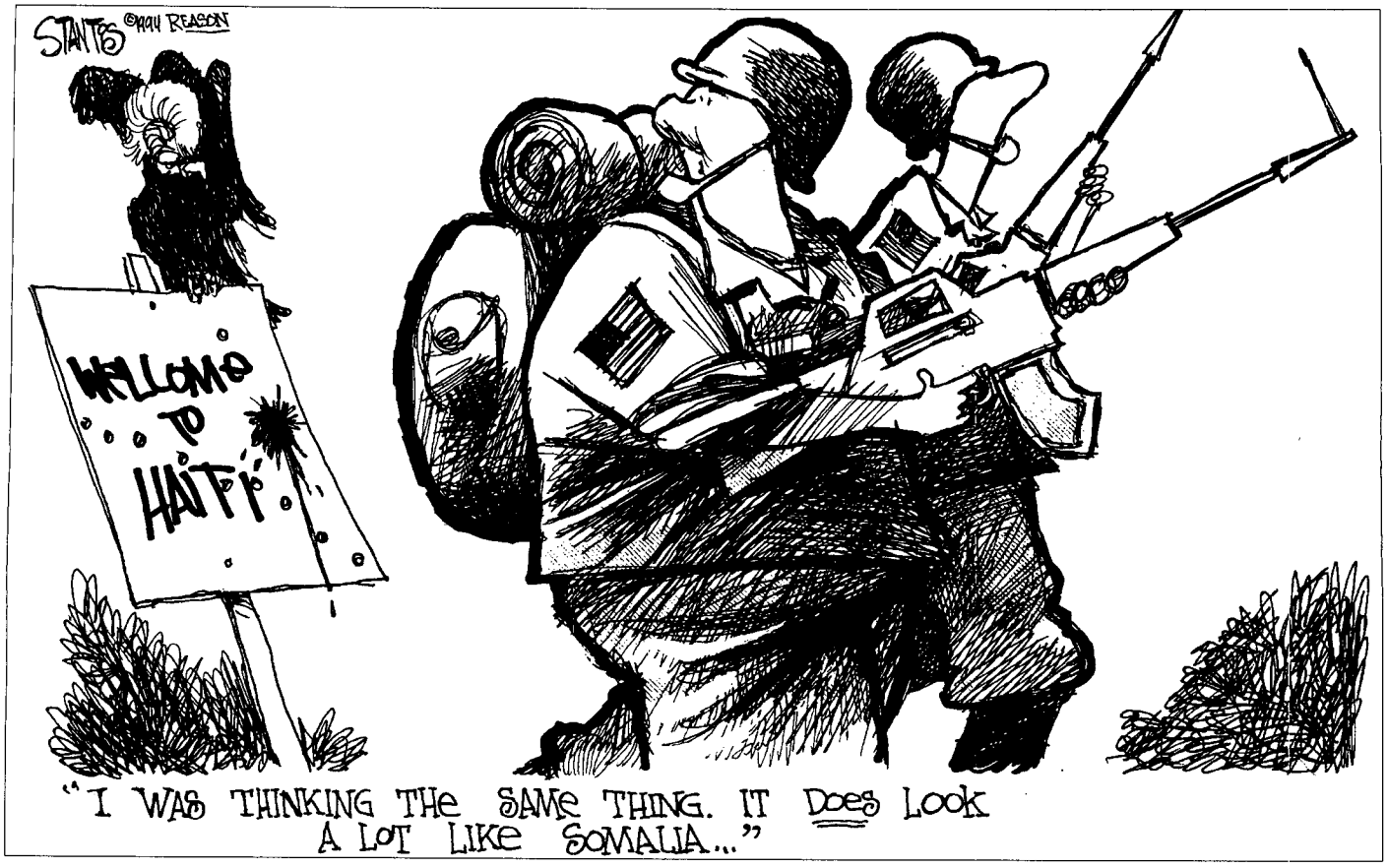

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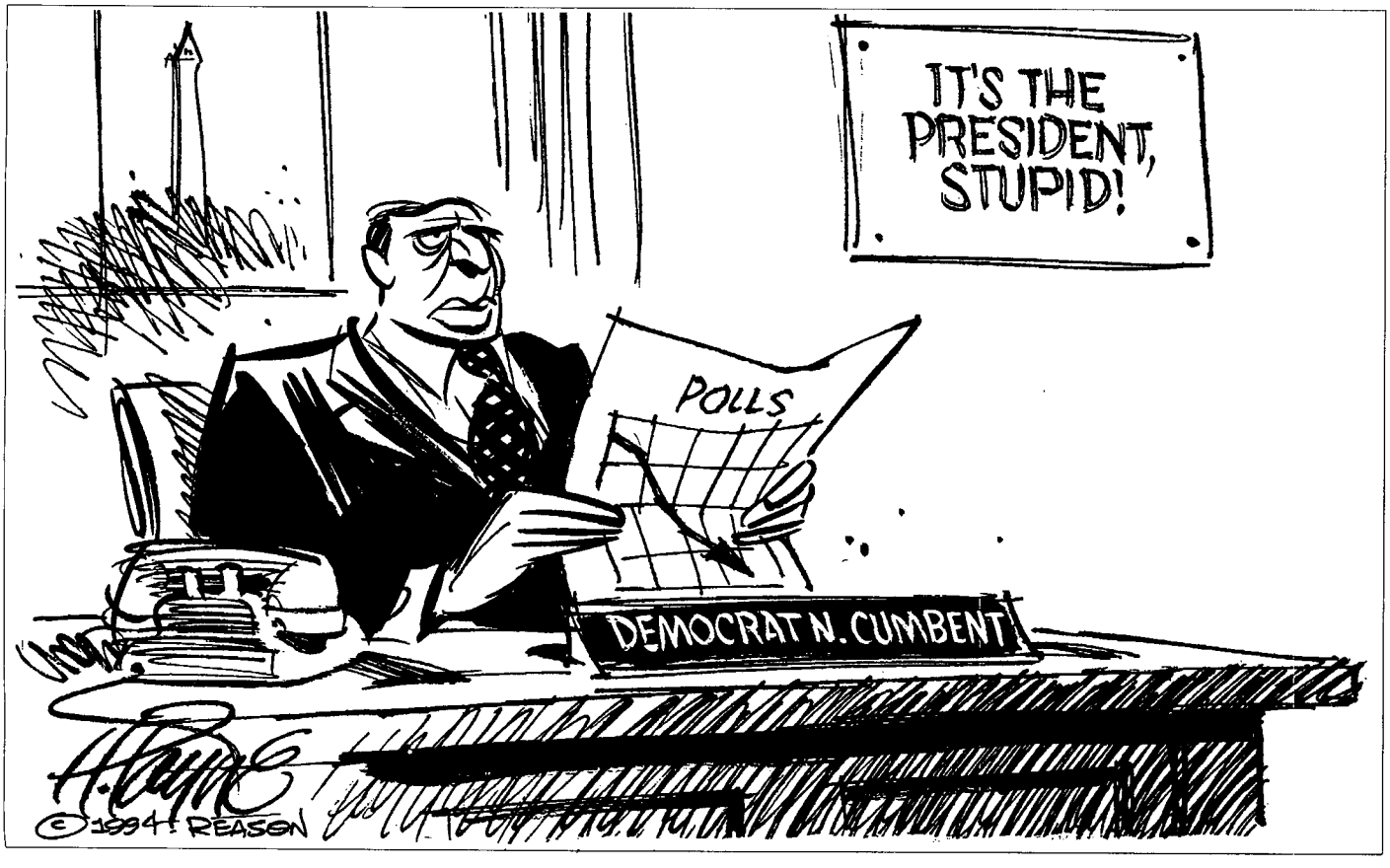

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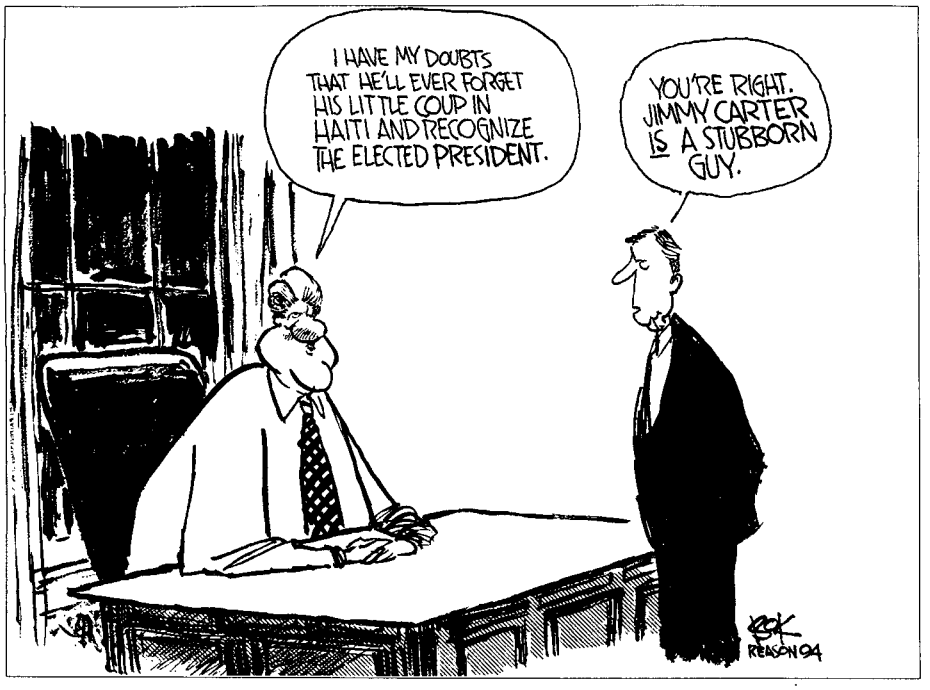
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REASON'94

CHIP BOK

■ **The Massachusetts Division of Medical Assistance** has revealed that it spent almost $50,000 in 1993 on fertility drugs for 260 people, including about 80 mothers on welfare. Two of those moms already had eight children each.

■ **For 10 years, Velma Williamson and** Theresa Taylor have given free haircuts to people who could not afford them, including men at Duluth, Minnesota's Union Gospel Mission. But the two don't have barber's licenses, so the state Board of Barber Examiners has told them to cut it out, or face 90 days in jail and a $700 fine.

■ **Meanwhile, air controller Douglas** Hartman has filed suit against the FAA, charging sexual harassment. Hartman claims that he was forced to walk a gauntlet of female colleagues who groped him during a training workshop. The workshop was designed to reduce sexual harassment.

■ **Last year, under threat of federal regulation,** Rep. Edward Markey (D-Mass.) got cable and broadcast television executives to adopt labelling for programs containing violence or other objectionable material. Now Markey has a new beef. His investigation has revealed that most newspapers' weekly TV schedules don't include the warnings. He says he's going to look into the matter. Maybe he should look into the U.S. Constitution instead. He might discover something called the First Amendment.

■ **Rosemarie Spearman thought she** could earn some bonus points in history and help educate her fellow students about the West African nation of Burkina Faso, where her family once lived, by bringing some artifacts from that country to class. So with her teacher's permission, the 16-year-old brought colored cloth, beaded purses, and ceremonial knives from that country to her Atlanta high school. Unfortunately, she did it on a day when her school conducted a surprise weapons sweep. Now she's facing charges of concealing a weapon and bringing a weapon onto school property.

■ **The promoters of Woodstock '94 liked** to claim that it would be more than a concert. They allowed environmental groups to set up booths on the grounds and educate people. Apparently, it didn't take. Woodstock officials are accused of violating laws mandating that materials be recycled instead of thrown into landfills. They also face criticism for the wooded areas and wetlands trampled by crowds listening to the music and for a stream that was polluted by the festival's overflowing toilets.

■ **In Utah, the Labor Department has** barred KRT Drywall-Acoustical from working any federal contracts because it has no female employees. The government didn't buy KRT's assertion that it was difficult to find women willing and able to lug around 120-pound drywall sheets all day.

■ **The European Union has slapped a** quota on nonhuman dolls from China. Human figures aren't covered. This means that customs officials have to determine the "humanity" of dolls imported into member countries. Teddy bears are covered by the quota. Batman and Robin aren't. *Star Trek*'s Captain Kirk is not covered, but his first officer, Spock, is. Hey, wait a minute, isn't Spock's mother an earthling?

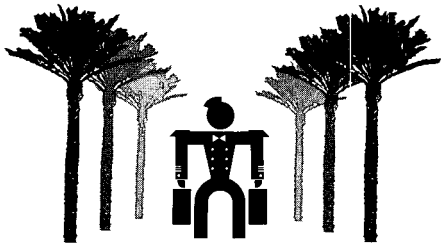
■ **In Chicago, the Equal Employment Opportunity** Commission has ordered restaurant owner Hans Mosbach to hire a specific number of older workers and to prominently post signs in his establishment apologizing for past discrimination against older workers. At issue is an ad the federal commission says he placed with an employment firm asking for waiters who were young. There's just one problem. Mosbach says he didn't place such an ad and the employment firm backs him up. He's asked the EEOC to produce the ad, but it refused. It seems that the EEOC doesn't believe that Mosbach has a right to see the evidence against him.

■ **Earlier this year, Steven Seagal starred** in *On Deadly Ground*, a film in which he did battle with evil oil companies destroying the environment. Now he's making *Under Siege II*, in which a film company endangers the environment. For real. It seems the production crew accidentally set several fires over a three-mile area.

— Charles Oliver

The Government as Innkeeper

Plenty of room at the Hotel Tampa



By Brian Doherty

AS IF MARKET RIGORS IN A CITY where hotel occupancy rates average only 70 percent weren't rough enough, the hotel industry in Tampa, Florida, is about to face a new, tax-exempt competitor: their own city government.

"If a first boondoggle doesn't succeed, try, try again" appears to be an operating motto for the city of Tampa. In 1990, the city launched a $140-million downtown convention center, with the hopes that it would revitalize downtown. The convention center isn't profiting as planned, so officials are now contemplating spending another $141 million on a convention *hotel*, which they have decided is essential to the success of the convention center, as well as the aquarium and hockey arena they are also building.

The city has given itself an edge by becoming the first commercial hotel to obtain tax-exempt non-profit status from the IRS. It will also be exempt from local property taxes, and is pursuing an exemption from Florida's state sales tax.

The historical record doesn't look promising for the hotel's success. A study of 25 government-run convention centers cited in a Heartland Institute policy paper indicated yearly operating losses averaging 42 percent of revenue. Attempts at entering the hotel business by governments have fared little better: Visalia, California's ownership of a Radisson Hotel has cost taxpayers there $20 million in spending and debt, and the state of Washington lost at least $100 million in a financing deal with Red Lion Inns.

The Hillsborough County (where Tampa is located) Hotel and Motel Association isn't thrilled at the prospect of having to face a tax-exempt competitor with the city government behind it to cover all losses. Its executive director, Robert B. Morrison Jr., wrote the Tampa City Council that the feasibility study the city commissioned to prove the market validity of the hotel contained "an annual $2–3 million discrepancy in the revenue projections" and did not compare their market with the markets in Orlando, Miami, or St. Petersburg, other big Florida cities that are the likeliest competition for Tampa in the convention market. Morrison says the HCHMA might pursue a legal challenge to the hotel's property-tax exemption on the grounds that such an exemption can't be made until the project is built.

The Tampa City Council is awaiting the final portions of the feasibility study before they vote on a bond issue sometime in October. Most of the city council, and even the Chamber of Commerce, seems eager to go ahead.

While Tampa's finance director, Bob Harrell, has questioned the motives of the hotel association in opposing competition, HCHMA President Heinz Gartlgruber says, "We wouldn't be opposed to a new hotel if an entrepreneur came forward. We are opposed to one publicly financed by bonds. You can always come up with plausible-sounding numbers in a feasibility study, but in the worst-case scenario who will pay in the end are the taxpayers." ®

Friendly Skies

Air travel is still a safe bet.

By Nick Gillespie

The September 8 crash of USAir Flight 427 outside Pittsburgh killed 132 people, making it the worst U.S. airline accident in over five years. Despite the disaster, however, airplane safety, whether measured as a function of trips taken or miles traveled, remains at near-perfect levels. For the years 1983–93 (the last full year for which data are available), the rate of fatal accidents per 100,000 departures has ranged between 0.012 and 0.087, for an average of 0.044. This year's ratio is likely to be below that average.

Safety of U.S. Air Carriers

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1980	0	0.000	**1990**	39	0.001
1985	197	0.001	**1991**	62	0.001
1986	5	***	**1992**	33	0.001
1987	231	0.001	**1993**	1	***
1988	285	0.001	**1994**	169*	Not available

* As of 10/94
*** Rounds to zero

Source: National Transportation Safety Board

Carried Away

Concealed handgun laws and crime

By Rick Henderson

As Congress uses legislation like the recent crime bill to restrict the rights of citizens to legally own firearms, state governments are making it easier for people to carry concealed weapons. And, contrary to gun-control advocates' claims, carry-permit reform appears not to increase gun violence.

Since 1961, Washington state has required judges to issue permits allowing any person to carry concealed handguns unless the applicant is younger than 21, awaiting trial for a misdemeanor or felony, awaiting sentencing for a violent crime, or subject to a court order prohibiting that person from owning or using firearms. Washington had been the only state to require judges to issue carry permits.

But in 1987, Florida started a wave of carry-permit reforms with its law that permits be granted to applicants who roughly meet the same tests as in Washington. Florida also excludes mental patients and substance abusers and requires applicants to pass gun-safety tests. Since Florida's law passed, 11 other states have similarly liberalized concealed-weapons carry laws.

Opponents of liberalizing carry laws asserted that Florida would be known as "the Gunshine state." In fact, while Florida's homicide rate was 36 percent higher than the national average in the years before the law took effect, the rates dropped to 4 percent lower than the national average in 1991, according to a new study by Clayton Cramer and David Kopel for the Colorado-based Independence Institute. In 1992, Florida's homicide rate equaled the rest of the nation's. And homicide rates in the other 12 states have mostly paralleled national trends; the rates have not gone up or down dramatically.

The study also compares violent-crime rates across California, where city and county officials have discretion to issue permits. It divides counties into three groups—those in which less than 0.1 percent of the population has received carry permits; those in which between 0.1 percent and 1 percent have permits; and those in which more than 1 percent have permits.

California counties that most restricted permits had above-average rates of aggravated assault, murder, rape, and robbery. In the counties with the most-liberal access to permits, the robbery rate was 87 percent *lower* than the rate in the most-restrictive areas. ®

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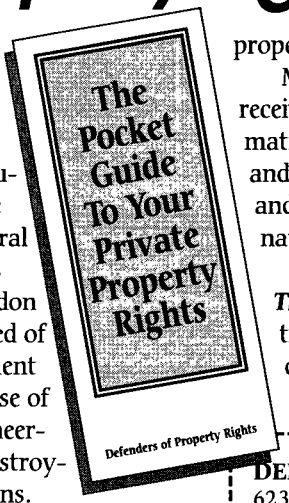

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Balance Sheet

By Brian Doherty

Assets

NAFTAmath. In the first six months of 1994, U.S. exports to Mexico are up 17 percent from '93, and Mexican exports to the United States are up 21 percent. After NAFTA, the whole dollar value of U.S. exports to Mexico is bigger than that of Mexico to the United States, despite Perotian cries about the inability of poor Mexicans to buy things. Jobs aren't flying across the border; goods and cash are.

Derivatives Reprieved. The feds decide for once that a flurry of panicky journalism *isn't* good enough reason to muck up the works with regulation. Undersecretary of the Treasury Frank Newman tells Congress that new moves to regulate the markets in financial derivatives aren't necessary—at least not *this* year.

Markets Flow. The Interior Department's Bureau of Reclamation contemplates a partial inflow of market logic to western water policy: allowing California, Arizona, and Nevada to sell water allocated to them by the feds that they don't want to use.

Great Gridlock. It just missed claiming the crime bill, but it did succeed in killing "health-care reform" for now. Federal welfare reform as we know it is crawling to a halt. The president's ability to get his way with Congress, and Congress's ability to get *anything* big done, seem more limited than ever.

Liabilities

Law for Art's Sake. The Visual Artists Rights Act of 1990, which prohibits the "intentional distortion, mutilation, or other modification" of art, claims its first victim: A New York office building can't remove from its premises an astronaut with a trashcan head, among other elements of a football-field sized, unfinished installation cluttering its premises. But U.S. District Judge David Edelstein will *not* force the building owners to let the artists finish the offending work.

Gun Gestapo. And you thought the Brady Bill would just allow the feds to check *criminal* records on potential gun buyers. Now the FBI's National Instant Criminal Background Check System will also include dishonorable military discharges, records on mental commitments, illegal aliens, and those who have renounced their citizenship. May we see *all* your papers, please?

On Hold. Telecommunications regulatory reform is disconnected for at least another year. The future of competition in local telephone services and cable TV stays in the uncertain flux of myriad local court decisions. While any bill isn't better than none (and this year's bills were filled with bad provisions), level national deregulation in this national (and international) industry is needed, quick.

Sticker Shock. Car buyers get one more irrelevant sticker to look at. The "total domestic content" (Canada somehow counts as domestic—Japanophobia, anyone?) of cars, and the countries where the foreign parts are from, now must be revealed on car stickers. This is on top of the different domestic-content calculations automakers already have to give to the EPA and the Customs Service. The estimated $13 million compliance costs for this consumer "protection" will be paid by—guess who?

Land Survey

Scoring Congress on property rights

By Rick Henderson

THE BURGEONING PROPERTY-RIGHTS movement is gaining attention and winning influence nationwide. (See "Preservation Acts," October.) Now a grass-roots group that represents more than 16,000 land owners has tallied how individual members of the 103rd Congress voted on property-rights bills.

The Fairness to Land Owners Committee recorded the votes of every member of the House of Representatives on: components of the proposed National Biological Survey; the bill that would elevate the Environmental Protection Agency to cabinet status; an amendment to the California Desert Protection Act; co-sponsorship of bills to reform wetlands regulations and the Endangered Species Act, and to compensate property owners when government regulations reduce the value of their land; and co-sponsorship of a discharge petition that would bring that compensation bill to the House floor for a vote.

Peggy Riegle, president of the FLOC, says the group didn't publish a Senate index because the only votes that body conducted on property-rights issues were voice votes.

Sixty-nine representatives voted with the property-rights movement every time—63 Republicans and six Democrats. All the Democrats are from the South except Gary Condit, who represents the Central Valley of California and who replaced former Majority Whip (and current de facto Democratic Party head) Tony Coelho in 1989.

By contrast, 88 members voted against property rights on every occasion—84 Democrats, three Republicans, and Independent Bernie Sanders (Vt.).

"Our people have used these tallies to go after their [representatives]," says Riegle. "We've found they have to be intimidated" before they will defend property rights.

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Breeder Reactionaries

The "feminist" war on reproductive technologies

By Wendy McElroy

"59-Year-Old Woman Gives Birth to Twins on Christmas Day!"

Although it reads like one, that's not a headline from the *National Enquirer*. Earlier this year, reputable newspapers around the globe rushed to report that a 59-year-old British businesswoman had produced two healthy children from donated eggs which had been implanted in her uterus. She was soon overshadowed by a pregnant 62-year-old Italian woman, who wanted a baby to replace her only child, a son who had died in an accident.

Then a black woman gave birth to a white baby and the world confronted a host of new questions: Should parents be allowed to choose the race of their children? Or the sex? Should "designer" babies be encouraged? Or should the new reproductive technologies that allow such possibilities be banned, as several European nations are now attempting to do?

The controversial procedures causing such a flap encompass a number of fully achieved technologies as well as some still in the development stages. They include: sperm donation, by which a woman is impregnated with sperm from someone other than her partner; egg donation, by which one women conceives with an egg donated by another; sperm and egg freezing; embryo adoption, by which a donated egg and sperm are cultured into an embryo; embryo freezing; and embryo screening. The world has certainly come a long way since Louise Brown became the first test-tube baby in 1978.

The main appeal of reproductive technologies is that they give people more choices and more flexibility in a

domain previously ruled by biological chance and limits. And, sensational headlines notwithstanding, the typical beneficiaries of reproductive technologies are individuals in their child-bearing years. Still, the proliferation of new options means that the social implications of the new reproductive technologies are staggering. By the year 2000, for instance, more than 2 million children will have been born as a result of artificial insemination, estimates Roxanne Felshuch of IDANT Laboratories. Essentially, women can reset their biological clocks at will. Instead of having children during their peak career years, women can wait until retirement to raise a family. A single infant can now have more than two parents, all of whom might die of old age before he or she begins to teethe. If recent experiments on mice are an indication of things to come, a woman could abort a female fetus and, using its ovaries and eggs, later give birth to her own grandchild.

The prospect of such a reproduction revolution raises important and vexing ethical questions. For example, with two possible sets of "parents," how should the courts adjudicate custody claims? What will prevent governments from commandeering this science to produce "better" citizens? Will women be pressured to abort "defective" fetuses? Who will define a defect?

And, because they often utilize donors and surrogates, the new reproductive technologies also raise many serious questions about individual rights and contract law. Does a donor or a surrogate have any rights beyond sharply delimited contractual obligations? Is it possible to contract out motherhood—or fatherhood—itself? Congress and the courts have begun to address these questions and, if 1987's "Baby M" case is any indication, the final answers are certain to be long and hard in coming.

These are the sort of questions that will alter the reproduction debate in the next decade. Indeed, they promise to alter reproduction itself. Women can now choose to have children when, where, and with whomever they want.

Such fundamental change inevitably inspires champions and detractors and, in the cacophony surrounding the new reproductive technologies, you would think feminists would be among the staunchest advocates for freeing a woman's body from the restrictions of nature. This, after all, has been one of the main goals of the feminist movement since its inception. As Shulamith Firestone wrote in the 1970 feminist classic, *The Dialectic of Sex: The Case For Feminist Revolution*, "The first demand for any alternative system must be...The freeing of women from the tyranny of their reproductive biology by every means available...."

The new reproductive technologies, like effective contraception and access to legal abortion, seem to provide women with the "choice" central to virtually all brands of feminism. So aren't they part and parcel of the "reproductive freedom" that was so hotly contested at the United Nations' International Conference on Population and Development held in Cairo? You would think only the pope and other reproductive traditionalists could be critical of such technologies. And you would think feminists would shout with joy now that their long-time rallying cry—"A woman's body, a woman's right"—is on the verge of fulfillment.

But you would be wrong. When high-profile feminists have commented on the topic at all, they have been outspoken in their attacks on new reproductive technologies ranging from innovations in birth-control methods to refinements of in vitro techniques. Consider the words of Janice Raymond, professor of women's studies at the University of Massachusetts and author of *Women as Wombs*. Raymond disparages the technologies as "reproductive abuse," a product of the "spermatic economy of sex and breeding" or "spermocracy," and "medicalized pornography."

This rejection has nothing to do with the ethical questions posed above. Critics such as Raymond are radical feminists who consider men and women separate political classes, with interests that dramatically—and necessarily—conflict. Within the radical feminist ideological belief system, anything developed within the "patriarchy"—the "seamless web of male oppression" that radical feminists say characterizes our world—must be condemned, regardless of the apparent benefits for women.

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The radical feminists sometimes call themselves "post-Marxists," but it is not clear just how far they've moved past Marx—or Engels, for that matter. Like Marx, they tend to single out capitalism as a particularly exploitive system and, like Engels, they see it as the root of all gender injustice. More important, radical feminists rely on a Marxist "base/superstructure model" of analysis. In traditional Marxist analysis, a particular economic base (i.e., capitalism) creates a particular superstructure or culture which simultaneously camouflages and perpetuates the economic base. The process is subtle enough that people within the system don't even understand they are part of it, much less being exploited by it. That's why work-

ers need to be organized; "class consciousness" is suppressed by the superstructure. And because the superstructure is determined by the base, any attempt to alter the superstructure without fundamentally changing the base is meaningless. Hence, raises in wages and benefits may seem progressive but, because they placate workers, actually work to shore up an evil system.

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Radical feminists have taken this basic argument and substituted gender relations for economic ones. In place of capitalism, there is patriarchy (of which, it should be noted, capitalism is a manifestation); in place of class exploitation, there is gender exploitation. Developments apparently benefiting women—such as longer lifespans, birth-control pills, increased access to property, wealth, and education—actually maintain the patriarchal status quo.

Patriarchy, say the radical feminists, is a cancer rooted so deeply in our culture that even the language with which we speak and think reinforces male dominance: The word *his*tory rather than *her*story is merely one obvious example among many. For radical feminists, then, the new reproductive technologies are particularly abhorrent for two reasons. First, they are a creation of a "male science" which seeks to dominate nature rather than remain open to it. Already convinced that the medical establishment is out to control women, radical feminists insist that the new, ostensibly liberating procedures are actually another attempt to exploit female reproductive functions and turn women into baby factories under male management. Second, the legal grounds on which the new reproductive technologies will be implemented stand on notions of individual rights, enlightened self-interest, and contract law—all of which radical feminists see as extensions of an inherently exploitive capitalist system.

The above arguments may sound absurd and contradictory—just how absurd and contradictory we will see shortly. But because radical feminists are almost the only women in the feminist movement discussing the implications of the new reproductive technologies, they enjoy tremendous influence over the terms of debate. At the university level, they often chair women's studies programs and occupy administrative positions. Radical feminists are also defining the terms of the reproductive debate outside the academy. The shelves of libraries and bookstores are stocked with radical feminist works from major publishers, all of which argue against new reproductive technologies. These include: *Living Laboratories*, by Robyn Rowland; *The Mother Machine*, by Gena Corea; *The Politics of Reproduction*, by Mary O'Brien; and such anthologies as *Made to Order: The Myth of Reproductive and Genetic Progress*; *Man-Made Women: How the New Reproductive Technologies Affect Women*; and *Test Tube Women*.

Radical feminists are even shaping the political process that will monitor and regulate access to and information about the new reproductive technologies, as well. Janice Raymond, for instance, testified against surrogacy contracts before the House Judiciary Committee of Michigan in 1987. The Sixth International Women's Health Congress, held in 1990, drafted a resolution opposing, among other things, the development of anti-pregnancy vaccines. In Canada, groups such as the National Action Committee on the Status of Women have been preparing studies and statistics in hope of restricting fertility clinics.

The critics opposing the radical feminist position tend to be far removed from the world of "gender studies"; as a result, they are often dismissed as uninformed or irrelevant by radical feminists. For instance, John Robertson, professor of law at the University of Texas, has argued that, because the right to reproduce follows from the constitutional guarantees to privacy that underwrite *Roe v. Wade* and *Griswold v. Connecticut*, access to the new reproductive technologies should be similarly protected. But since radical feminists dismiss the U.S. Constitution as a document written by and for white slave-owning males, they reject any appeal to privacy because it places reproductive rights beyond considerations of the "female" values of social justice and social ethics. "Privacy rights," say the radical feminists, are just another attempt to tie reproduction to the male-dominated tradition of property rights.

It is worthwhile, then, to examine and refute the radical feminist rejection of the new reproductive technologies on its own terms. By looking at the misinformation and the illogic of their attacks on science and individual—as opposed to group—rights, the implications of the radical feminist mindset become clear. It calls for nothing short of a "gender revolution" that will overturn individual rights, private property, and any other institution tainted by "patriarchy." "In order to stop...systematic abuses against [women]," writes Andrea Dworkin in her 1976 book *Our Blood*, "We must destroy the very structure of culture as we know it, its art, its churches, its laws."

And, of course, its science. The radical feminist ob-

jections to the technological aspects of the new reproductive technologies are actually a specific application of a larger anti-scientific argument. "Science" seeks "objective" knowledge; hence, it's the opposite of radical feminism, which seeks to articulate "subjective" voices. Where the scientific method stresses evidence and replicable results, feminists "privilege" personal experience. In a paper delivered at the 2nd Annual Women's Studies Association Conference in 1980, researcher Judith Dilorio described feminist methodology thusly: "Researchers will utilize first-hand, immediate and intimate contact with their subjects through direct observation and reflective analysis, drawing upon her or his own experiential observations of what others say and do in order to relate subjective and objective dimensions." This form of research, which has been called "experiential analysis," can be seen in feminism's approach to sexual harassment. A women's feelings about the alleged harassment (e.g., she *felt* threatened) are taken as proof it occurred.

For radical feminists, "scientific truth," like any other kind of truth, is nothing more than what scientists declare it to be. Science is just one more "discourse" among competing alternatives; its claim to rationality, disinterested inquiry, and predictive value are merely "male" rhetorical conceits designed to make it seem more authoritative. Contrary to the way science is usually discussed, say the radical feminists, science is not value-free. By seeking to analyze and control nature, it embodies the very ethos of patriarchy.

Since technology is an outgrowth—indeed, a handmaiden—of science it is by definition anti-woman, even when apparently providing women more options. Hence, in the essay "How the New Reproductive Technologies Will Affect All Women," journalist Gena Corea writes, "[T]he technologies will be used by physicians for seemingly benevolent purposes. These kindly looking physicians may even speak with a feminist or a liberal rhetoric, passionately defending a woman's right to choose these technologies and 'control' her own body."

Elsewhere, Corea has stated, "The new reproductive technologies represent an escalation of violence against women, a violence camouflaged behind medical terms." Her derisive attitude is summed up by her comments on embryo flushing, a key procedure in artificial insemination by which an embryo is separated from the womb: "That's done in cows," she writes. The implication is clear—men view women and cows alike as domesticated animals.

Corea is hardly alone in linking technology to patriarchy. The ironically titled anthology *Healing Technologies: Feminist Perspectives*, for instance, dismisses electronic fetal monitors—which have been heralded as a lifesaver for mother and child alike—as the result of "males and male values" and of the merger of "business and health care systems...another male alliance."

Even birth control, once sacrosanct to feminists, is being redefined as oppression. In the essay "In His Image: Science and Technology," in the 1992 anthology *Twist and Shout*, Heather Menzies explains how female contraceptives are actually tools of patriarchy: "I didn't immediately see the pill or the IUD as sinister in themselves; I began to see them, though, in context, as part of a larger system...they are a part of a particular phrasing of the role of reproduction in society geared to production and consumption, and a particular phrasing of the problem of women's bondage to their own bodies."

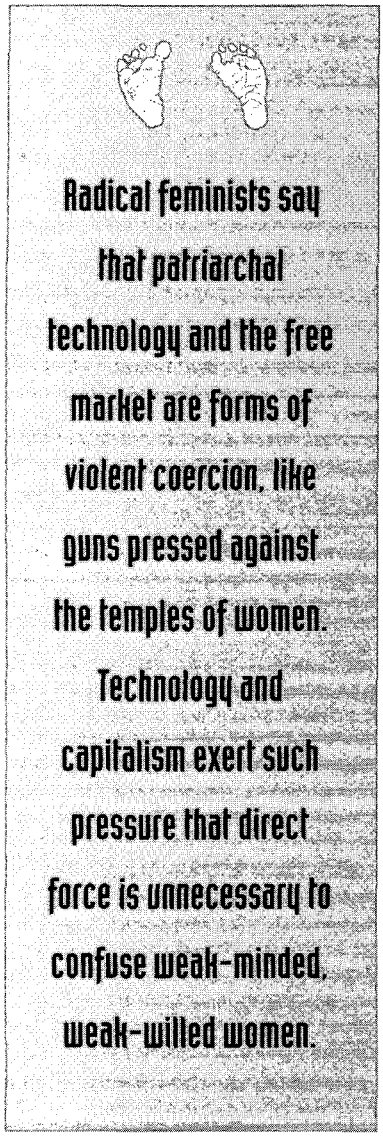
As long as the "context" is patriarchy (and for radical feminists, the context is *always* patriarchy), reproductive technologies of any sort are inherently oppressive. What's more, they "marginalize" the role of women in the birth process. Through the "medicalization" of childbirth, women are said to be losing the monopoly of power they once enjoyed over giving life. (History, it should be noted, does not smile upon this interpretation. In 17th- and 18th-century Europe, for instance, when technological intervention in childbirth was virtually unknown, children had only a 50 percent chance of living until their first birthday. Women had a 10 percent chance of dying in labor and a 20 percent chance of being permanently injured by midwives, who commonly punctured the amniotic sac with dirty fingernails.)

The radical feminist objections to the new reproductive technologies are actually a specific application of a larger anti-scientific argument. "Science" seeks "objective" knowledge; hence, it's the opposite of radical feminism, which seeks to articulate "subjective" voices.

But the radical feminist dismissal of science has seriously flawed foundations. Radical feminists invalidate science on the grounds that it, like all other forms of human knowledge, is necessarily selective and provisional. Which is to say, in order to process the vast amount of data bombarding us at every turn, individuals select out what they consider to be important. This, however, is not evidence of bias (patriarchal or otherwise), but merely a description of how the human brain functions. Actual bias occurs only when human beings refuse to reconsider or alter their conclusions in the light of reasonable doubt.

If anything, scientific research methods consciously

acknowledge the limits of human knowledge: That's why theories are continually revised, updated, and changed to better account for countervailing phenomena. The search for truth *is* the process of selecting and integrating data and experience. Precisely what is distinctive about scientific discourse is its willingness to test its hypotheses in such a way that impartial observers can verify or refute results.


Radical feminists say that patriarchal technology and the free market are forms of violent coercion, like guns pressed against the temples of women. Technology and capitalism exert such pressure that direct force is unnecessary to confuse weak-minded, weak-willed women.

To invalidate an area of study because it selects and revises its knowledge—because it decides what data are relevant to its concerns—is to preclude the possibility of human beings ever achieving knowledge in any area, including feminism. It is curious to note, however, that despite their rejection of objectivity and the possibility of truth, radical feminists seem able to claim absolute knowledge when it comes to condemning patriarchy and technology. If they are not being consciously mendacious, the radical feminists are at least ensnared in a major contradiction: Their own position refutes their claim.

Radical feminists fall into a similar contradiction when it comes to discussing their second major objection to the new reproductive technologies: the legal context in which they will be selected. They must deal with the moral question wrapped up in the feminist ethos of "a woman's body, a woman's right." Specifically, they must deal with the issue of choice, the right of every woman to decide for herself what medical procedures she wishes to undergo.

What do radical feminists tell women who choose to "medicalize" the birth process by using such devices as electronic fetal monitors? Or the many women who seek out new technologies in order to have a child? Or the women who choose to be surrogate mothers? Would radical feminists deny these women the right to exercise medical choice over their own bodies?

In a word: Yes.

In *Women as Wombs*, Janice Raymond writes, "Feminists must go beyond choice and consent as a standard for women's freedom. Before consent, there must be self-determination so that consent does not simply amount to acquiescing to the available options." Here, radical feminists are trying to establish a conflict between choice and self-determination. They concede that some women *appear* to choose procedures such as in vitro fertilization. But they deny that these women are actually choosing, or even capable of doing so, because their options are all delimited by the twin male evils of technology and the free market. Only when women are freed from oppression, say the radical feminists, will true choice be possible for them.

Thus, the grounds of debate are shifted from choice to self-determination, from sexual or reproductive freedom to gender liberation. This shift must be ideologically uncomfortable for many radical feminists who once championed "choice" in unfettered terms, but it offers a distinct advantage. They can dismiss women who choose the new reproductive technologies as lacking self-determination. They can also cancel out the possibility of such embarrassing choices cropping up in the future by simply banning them. This ideological two-step allows them to gloss over the incredible tension inherent in their competing claims: 1) Women must control their reproductive functions and 2) Certain reproductive choices are unacceptable. The radical feminist position is not simply a rejection of bad choices. It amounts to a denial of women's ability to choose anything at all.

Just as the specific rejection of technology stems from a general anti-science argument, the denial of female choice is part of a larger case against patriarchy. Consider these two inescapable verities: First, every choice is made under the influence of a culture (or cultures). Second, the very notion of choice—of selecting one thing instead of another—implies limited options. This is true of women today and would be true of women in some future feminist utopia. To claim that such influences somehow negate a woman's free will—and the right to control her own body—is to deny that anyone, male or female, ever truly chooses anything. It strips women of the only defense they really have against destructive influences: the ability to act freely in their own self-interest.

To this, radical feminists reply that patriarchal technology and the free market are not mere influences; they are forms of violent coercion, like guns pressed against the temples of women. Indeed, technology and capitalism exert such compelling pressure that direct force is unnecessary to confuse obviously weak-minded, weak-willed women. Gena Corea illustrates how this works in "How the New Reproductive Technologies Will Affect Women." Weak-willed women will find themselves overwhelmed by the cultural pressures to use reproductive technologies. "No force will be required to get us to accept the donor eggs—that is, to prohibit us from reproducing ourselves," predicts Corea. "Control of consciousness will do quite well." This passage lays bare the inability of radical feminism

to deal with dissent. Women who disagree with us, imply the radical feminists, are merely dupes of patriarchy.

The irony is staggering. For centuries, men have declared that women don't know their own minds, that they can't be trusted with important decisions. Now, radical feminists mouth the same old patriarchal line. Since they define women as an oppressed "class" that is denied choice, they must attack the very concept of individual choice because it threatens class solidarity.

The most dramatic expression of radical feminists' contempt for individual choice is their passionate rejection of surrogate motherhood, by which one woman agrees to bear a child for another. In essence, they call for the prohibition of surrogacy contracts, because such an arrangement is said to convert women into breeding stock against their will.

In testifying before the House Judiciary Committee of Michigan in October 1987, Janice Raymond railed against surrogacy contracts: "[They] should be made unenforceable as a matter of public policy...they reinforce the subordination of women by making women into reproductive objects and reproductive commodities." Notice that Raymond characterizes women as passive objects and contracts as active agents. Although the woman in fact makes the contract, Raymond speaks as if it the situation were the reverse.

The radical feminist case against surrogacy contracts has been spelled out in detail by Phyllis Chesler in her 1990 essay "Mothers on Trial: Custody and the 'Baby M' Case," published in the collection *The Sexual Liberals and the Attack on Feminism*. This was the custody battle which took place in 1987 before the New Jersey Superior Court. The surrogate mother sought custody of the child conceived with sperm provided by a couple who had contracted her services.

"Some feminists," wrote Chesler, "said, 'We must have a right to make contracts. It's very important. If a woman can change her mind about this contract—if it isn't enforced—we'll lose that right!'...They didn't consider that a contract that is both immoral and illegal isn't and shouldn't be enforceable. They didn't consider that businessmen make and break contracts every second....Only a woman who, like all women, is seen as nothing but a surrogate uterus, is supposed to live up to—or be held down for—the most punitive, most dehumanizing of contracts. No one else. Certainly no man."

The radical feminist objections against surrogacy contracts rest on two basic points, which are commonly raised against all forms of reproductive technology. First, the woman is selling herself into a form of slavery; and second, the woman cannot possibly give informed consent because she does not know how she will feel later toward the child she is bearing.

As to the first objection, it can be easily argued that there is nothing different, in kind, from a surrogate renting out her womb and other women who routinely rent out other aspects of their bodies in employment contracts: doctors, computer programmers, secretaries. The real question at issue is, What constitutes slavery?

The essence of slavery is what has been called "alienation of the will"—that is, you transfer over to another person not merely the limited use of your body, but all moral and legal jurisdiction over it. In effect, you transfer title to yourself as a human being. But if you signed such a contract, you would instantly lose all responsibility for living up to its terms, because you would no longer be a legal entity capable of being bound by contracts. In this way, a "slavery contract" is a contradiction in terms. All that can be contracted out are services.

The radical feminist objections against surrogacy contracts rest on two points. First, the woman is selling herself into slavery; and second, the woman cannot possibly give informed consent because she does not know how she will feel later toward the child she is bearing.

The second objection to surrogacy contracts—that a woman cannot give informed consent—similarly raises general questions of contract law. And on this point, the legal system at times seems to agree with the feminists. Although in the Baby M case, Judge Sorkow found in favor of the biological father and against the surrogate mother, his ruling implicitly criticized surrogacy contracts: "[The surrogate mother] never makes a totally voluntary, informed decision, for quite clearly any decision prior to the baby's birth is, in the most important sense, uninformed, and any decision after that, compelled by a pre-existing contractual commitment, the threat of a lawsuit, and the inducement of a $10,000 payment is less than totally voluntary. Her interests are of little concern to those who controlled this transaction."

But this ruling does not so much invalidate surrogacy contracts as it invalidates the possibility of *any* contract whatsoever between human beings. The court wrongly identifies contractual obligations, voluntarily entered into, as somehow coercive. Consider what the court views as a lack of informed consent.

First, the surrogate doesn't know how she will feel about the baby she is carrying until it is born. A similar statement could be made about almost any contract. If

I sell my family home, for example, I do not know how much I will miss the memories and associations it contains until the house is gone. If I am commissioned to paint a landscape, I don't know how emotionally attached I might become to the painting until it has been executed. To claim that a woman can change her mind about a contract, with impunity, simply because she has second thoughts, is to say no contract exists at all.

It is not reproductive technology per se, but the free market that is the true evil. Women may compassionately lend their wombs, but they should never be allowed to materially profit by the process. Such profiteering would exploit the wombs of underprivileged women.

Second, the surrogate is said to be "compelled by a pre-existing agreement" and "the threat of a lawsuit." These two factors are almost the definition of what constitutes a contract: namely, an agreement that binds parties to certain actions and leaves them vulnerable to damages if they fail to follow through. If these factors are inherently coercive, then contracts themselves are coercion.

Third, the interests of the surrogate "are of little concern to those who controlled the transaction." Again, this is true of all contracts, which are binding agreements between people who are pursuing their own perceived best interests. If the surrogate is of age and in her right mind, it is assumed that she's looking out for herself. If the surrogate later discovers that keeping the baby is in her actual self-interest, she can breach the contract and pay the damages involved.

The feminist rejection of surrogacy, then, is just another assault on women's right to make "wrong" choices and on the free market, which is the arena of her choices.

This becomes clear whenever radical feminists waffle on what they call "limited individual situations"—such as one sister carrying a baby for an infertile sibling. This, some maintain, should be tolerated for compassionate reasons, on the same level as a bone marrow transplant between relatives.

For instance, in the book *New Approaches to Human Reproduction*, editor Linda M. Whiteford makes a distinction between commercial surrogacy and the altruistic kind. "Commercial surrogacy exploits socioeconomic class differences," argues Whiteford, "using financial need and emotional need as currency. The exchange of money transforms surrogacy from an altruistic gift between sisters or friends into baby selling or womb renting...".

But "humanitarian" surrogacy is still the medicalization of childbirth. Here the object of radical feminist condemnation becomes clear: It is not reproductive technology per se, but the free market that is the true evil. Women may compassionately lend their wombs, but they should never be allowed to materially profit by the process.

Why? Because such profiteering would exploit the wombs of underprivileged women. In other words, if a surrogate truly needs money, her contracts are invalid on the grounds of socioeconomic coercion. But it is precisely those who need money who most need the right to contract for it. To deny a poor woman the right to sell her services—whether as a waitress or a surrogate—deals a death blow to her economic chances. Her services and labor may be the only things she has to leverage herself out of poverty. If anything, she needs the right to contract far more than rich and powerful women do.

The true issue surrounding the new reproductive technologies remains "a woman's body, a woman's right." In essence, radical feminists wish to alter feminism's most famous slogan to read: "A woman's body...sometimes a woman's right."

But however fuzzy radical feminists may be in arguing against the new reproductive technologies, they are crystal clear about their end goal. Remember: Radical feminism is a call for revolution, not for reform. As Gloria Bowles and Renate Duelli Klein put it in their introduction to the anthology *Theories of Women's Studies*, "The present structure of education (and the nature of societal institutions at large) can [n]ever accommodate feminist claims because its very existence depends on the perpetuation of patriarchal assumptions and values....What we are at is nothing less than an intellectual revolution: we challenge the dominant culture at its source."

Similarly, radical feminists do not seek to regulate reproductive contracts and procedures. Instead, they demand their abolition. They seek to outlaw increasingly widespread practices such as surrogacy, in vitro fertilization, and the implantation of contraceptives. They call for legal sanctions against anyone who sells or provides such services—e.g. doctors and hospitals—and a cessation of research in this area.

While such demands for "technological justice" may indeed be radical, it is difficult to see them as particularly "feminist." ®

Wendy McElroy is a feminist writer whose book, Freedom, Feminism, and the State, *was republished in 1992 by Holmes & Meier. Her next book, about women and the pornography industry, will be published by St. Martin's Press in 1995.*

"All I Think Is That It's Stupid"

SUE MULLINS

Dave Barry on laughing at Very Big Government

Interviewed by Glenn Garvin

A *New York Times* profile once said that *Miami Herald* humor columnist Dave Barry "makes his living by taking prosaic ideas to incongruous extremes." He is the only Pulitzer Prize winner to have a sitcom—CBS's *Dave's World*—based, very loosely, on his life. (They turned his one son and two dogs into just the opposite, but he enjoys cashing the checks.)

The Pulitzer Prize judges gave Barry the award for commentary in 1988 "for his consistently effective use of humor as a device for presenting fresh insights into serious concerns." His concerns include beer, Barbie, a "worldwide epidemic of snakes in toilets," exploding Pop-Tarts, and, perhaps most famously, "the worst songs ever recorded."

To be fair to the Pulitzer committee, the real Dave does devote more column inches than the average pundit to making Very Big Government look silly and obnoxious. This is a fresh insight in New York and Washington, and wildly popular with readers, who have bought more than a million copies of his books.

Taking prosaic ideas to incongruous extremes, he writes things like: "With the federal deficit running at several hundred billion dollars per year, Congress passed a transportation bill that, according to news reports, includes $30 million for a 'high-tech' moving sidewalk in Altoona, which happens to be in the district of Rep. 'Bud' Shuster, the ranking Republican on the surface transportation subcommittee.

"I don't know about you, but as a taxpayer, I am outraged to discover that, in this day and age, Altoona residents are still being forced to walk around on regular low-tech stationary sidewalks. I'm thinking of maybe organizing a group of us to go there and carry Altoonans on our backs until they get their new side-

"I'm a humorist. A guy like [Sen.] Paul Simon just makes my life so much simpler. When I was [in Washington, D.C.], he had a hearing against hate. Steven Spielberg came and testified against hate. Paul Simon said hate was bad. Orrin Hatch was there, and he was against hate too. Everyone was opposed to hate. Is this really a wonderful way to spend our tax dollars, to have these men drone away about how against hate they are?"

walk. I'm also thinking that maybe we should donate an additional $10 million or so to build them a high-tech computerized Spit Launcher that will fire laser-guided gobs onto the moving sidewalk, so the Altoonans won't have to do this manually. 'What have I done today to help keep 'Bud' Shuster in Congress?' is a question we all need to ask ourselves more often."

Contributing Editor Glenn Garvin interviewed Barry at his *Miami Herald* office.

Reason: You were in Washington recently to do a story. What was it like there?

Barry: It's like going to Mars. When you come back out no one is talking about any of the things the people in Washington are talking about.

If we're spending $853 trillion on some program now, and next year we spend any less, that's "budget-cutting" to them. For them, the question is always, "What kind of government intervention should we impose on the world?" They never think that maybe we shouldn't.

It gives me a real advantage as a humorist because I get credit for having insight and understanding—and I don't. I don't have any insight or understanding on anything about the government. All I think is that it's stupid—which is the one perspective that's almost completely lacking in Washington.

Reason: Did people there find your perspective peculiar?

Barry: They know this is what I do. Reporters aren't stupid. We were standing around talking about which of the 900 health-care proposals that nobody's going to accept is that day's hot news. They know how silly that is. But that's what they do. And if they don't do it, they'll get fired and someone else will do it. There's tremendous pressure, if you're in that system, to be involved and be interested and to care about it. There's no room to say, "This is stupid."

(One of the two tape recorders goes down. The reporter fiddles with it.)

Reason: I see why they wanted me to bring two. I'm totally humiliated. Virginia will be able to say, "Good thing I told you to bring two."

Barry: You know, if we had strict government standards about tape recorders, this kind of thing wouldn't happen. The consumer would be protected.

Reason: Was there anything surprising or unexpected about Washington?

Barry: I've been to Washington many times over the years for stories, and it always seems remarkably the same. More the same than the rest of the country. It's almost like they dress the same as they did 20 years ago. The same old guys are sitting outside the same dirty, dingy secret offices in the Capitol that you're not allowed to go in. But there's always this endless crowd of young, enthusiastic people who are in their Junior Achievement club or whatever, and someday they're going to be assistant to an aide to somebody. But they're making important contacts now that will serve them well the rest of their lives.

Reason: You're not sounding like a guy who has the fire in his belly for the '96 presidential race.

Barry: Oh, I never stop running. I'm not one of the weenies who drop out just because the electoral college votes. I'm still in the race. I'm an extremely corrupt candidate and I stress that in case anybody in our reading audience is interested in sending me money. You can have a naval base, is what I'm saying.

Reason: I would think that Washington would strain one's sense of humor. Sitting there listening to some imbecile like Paul Simon—the imbecile senator, not the folk singer—did you want to leap over his desk and cut his throat?

Barry: I'm a humorist. A guy like Paul Simon just makes my life so much simpler. When I was there, he had a hearing against hate. Steven Spielberg came and testified against hate. Paul Simon said hate was bad. Orrin Hatch was there, and he was against hate too. Everyone was opposed to hate. Is this really a wonderful way to spend our tax dollars, to have these men drone away about how against hate they are?

Reason: Did they make a token attempt to represent the pro-hate position?

Barry: No. But if the pro-hate lobby were to set up a PAC, I'm sure they'd be heard. It's not like they're not fair up there.

Reason: You've written in your columns about the strategic helium reserve the government keeps in case we have a sudden need for a fleet of dirigibles.

Barry: What bugs me when I write that is that I suspect 90 percent of my readers think I made it up.

Reason: What's something about the government that really pisses you off?

Barry: Well, that helium thing does. That's real money. All the tax money that I've ever, ever paid—and I've paid a lot of taxes—will not even begin to pay for one year of the strategic helium reserve. So when I sit and write a check out to the government, I can take it quite personally.

Reason: You don't sound like one of the people who fills out the IRS forms and then sends in voluntary contributions to alleviate the national debt.

Barry: No. Every year I write a tax advice column and I used to always make fun of that. One year, one of my favorite IRS commissioners, I think his name was Roscoe somebody, wrote that one of the most often-asked questions by taxpayers was, "How can I contribute more?" Well, I tell ya, ol' Roscoe's really been doing situps under parked cars again. I've heard a lot of people ask a lot of questions about taxes, but I never heard anybody say, "How can I, the ordinary person, send more money for no reason?"

Reason: Whatever happened to your $8.95 tax plan?

Barry: Oh, the $8.95 tax plan. Well, it was really popular with the average reader. It definitely reduced his taxes significantly. This was years ago, I think during the early Reagan years. I came up with a plan that everybody just pay $8.95 in taxes. Cheating would be allowed. But the incentive to cheat wouldn't be nearly as great if you only had to pay the $8.95. There were a few people who would have to pay hundreds of millions of dollars under this plan. I think it was Mark Goodson and Bill Todman, the guys who do the quiz shows. But almost everybody else would be off really cheap.

Reason: Do you ever get complaints that you're making people cynical?

Barry: Every now and then, when I write my annual tax column, some ex-IRS agent will complain, "There you go IRS bashing again." They're always saying that they're just doing their job. Someone I know once said, "You could get another job."

Reason: In your column I detect a certain skepticism at the notion that congressional spending creates jobs.

Barry: Of all the wonderful things government says, that's always been just about my favorite. As opposed to if you get to keep the money. Because what you'll do is go out and bury it in your yard, anything to prevent that money from creating jobs. They never stop saying it. They say it with a straight face and we in the press will write that down. We will say, "This is expected to create *x* number of jobs." On the other hand, we never say that the money we removed from another part of the economy will kill some jobs.

Reason: Have you ever had a government job?

Barry: No. I'm trying to think of what government job I would want. Maybe a disgruntled postal worker.

Reason: What's the most ridiculous government program you've ever written about or heard of?

Barry: I would really have a hard time just picking one. Anything at all in West Virginia is a good place to start. My favorite ones are when our own Defense Department says, "No, we really don't want you to build these weapons systems." Where do we stand now with the B-1 Bomber? We're going to build them but not put wings on them? We call it defense spending, but I wonder why we don't just hand the money to Lockheed and let them go out and spend it and not build a plane that might crash and kill somebody.

I don't think the press has done a very good job dealing with government spending. The Defense Department with the $9,500 toilet seat, that's not the problem anymore. Medicare and Medicaid and Social Security are the problem. That's us. That's our generation. There the press never says a word.

We certainly never require politicians to ever address those issues except really briefly sometimes during the New Hampshire primary, and then everybody falls asleep.

Reason: Have you noticed that baby boomers are showing alarming tendencies toward becoming safety Nazis?

Barry: I hate to speak for the whole society, but I will. I'm a journalist, it's my job. The real repressive, smug part of it seems to have passed. There's been something of a reaction against political correctness. Needless to say, the government hasn't caught up yet.

But when the boomers started to have kids reach adolescence, there was suddenly this feeling that they needed to protect their kids from all the same things they did when they were kids. Which I guess is a natural tendency, but it makes for a less fun society.

Reason: It strikes me as bizarre that a prospective Supreme Court justice has to get up there, in his 40s, and say, "No, I never smoked pot."

Barry: The whole thing about whether you smoke marijuana or not is so ridiculous. That and whether you protested the Vietnam War. Give me a break. Especially the marijuana thing. I'm inclined to think that anybody who *never* tried it should not be allowed in public office. But to make them get up there and lie, or at least be incredibly disingenuous, is just embarrassing.

After a while, the way this country deals with drugs is just not funny. What a waste of everyone's time and effort. What a waste of a lot of people's lives. The way we deal with drugs *and* sex. I saw one of these real-life cop drama shows, and they mounted a camera in this undercover agent's pick-up truck, right under the gear shift, and they sent him out to pick up prostitutes.

So the whole show consisted of this guy, who's quite a good actor, driving to this one street, and young prostitutes come up to him and solicit him. He says OK. They get in. They're trying real hard to be nice. He's going to pay $23, that's all he's got and they said that's OK. Meanwhile, behind him the other cops, these fat men with walkie-talkies, are laughing and chuckling because here they are about to enforce the law and protect society. They take her to some street and then of course they come up and arrest her. This poor woman—I don't know whether she's feeding her drug habit or feeding her kids or whatever. And the cops are so proud of themselves, these big strapping guys.

It just made me sick to see this. To treat these people who are trying to make a living, one way or another, this way, and to be proud of it. It's on television and we're all supposed to watch this and feel good about it. It's just disgusting.

It's like when cops sell drugs to people and then arrest them. And then we reach the point where I think it was Sheriff Nick Navarro in Broward County [Florida] had his lab making crack

"I actually kind of like Janet Reno. She seems like a nice enough lady. But when you're basically going through the entire phone book trying to find women lawyers who don't have maids to pick the attorney general of the United States, how well can you do? Reno taking responsibility for the Waco thing made me crazy. What got me is when Janet said, 'I'll take responsibility.' You can't say that. And if you mean it, then you have to resign your job right away."

so they could sell it. They couldn't get enough in south Florida, so they had to actually produce it themselves.

What politician would say, "This is really a waste of money to be doing what we're doing? It's ridiculous sending cops out to arrest prostitutes when we're supposed to be concerned about crime in this country." What politician would ever say that? What newspaper person would ever say that without getting stomped all over by all the other hypocrites?

Reason: *(Reporter fiddles with broken tape recorder, trying to fix it. It still doesn't work.)* I feel guilty sitting here knowing I don't have two tape recorders running like Virginia wanted. No one has ever crossed Virginia Postrel and lived to tell about it.

Barry: I can't help but notice that the Japanese product is the one working.

Reason: Didn't you once get a letter from someone on the Supreme Court?

Barry: I got a letter from [Justice] John Paul Stevens. I won't call it a serious letter. It was on his official John Paul Stevens stationery, though. He brought to my attention a product that I already knew about called Beano, which is an antiflatulance product. I was very pleased to get a Supreme Court justice suggesting a column, so I went and did a column about Beano. I went with my wife and another guy to a Mexican restaurant, which we thought would be the ultimate test for an antiflatulance product. There's a reason most of Mexico is located out of doors. And it worked. Several newspapers refused to run that column. But they did run *advertisements* for Beano.

Reason: You write about Miami as a place filled with people from many different lands, cultures, backgrounds, walks of life—all of whom want to kill each other. When they were going to bring a pro basketball team, you suggested we call it the "Giant Blood-Sucking Insects." So why do you live here?

Barry: Well, for one thing the *Herald* is here. If the *Herald* was in Minneapolis, I'd probably be in Minneapolis.

That isn't the main reason. I actually like south Florida. I never lived in a more interesting place than this. I've never met a wider range of people. I guess when I came here I thought there were Cubans and then there were people from New York and that was Miami. Now I know that it's Cubans, people from New York, and some people from New Jersey.

Actually, there are people from all over—not just Latin America, certainly not just Cuba, but all over Europe, all over the United States. A lot of them just got here and have interesting stories to tell about where they are from. I like that. I like knowing a lot of different types of people. And I can afford to live in a relatively safe part of Miami.

Reason: Do you go along with the conventional Miami opinion that we should invade Haiti since they've sent all these dangerous rafts to our shores?

Barry: I guess like every other American I feel very threatened by the situation in Haiti. I know our own lifestyle here is hanging by a thread because of what's going on down there.

Reason: What about Cuba? What's the solution to this Cuban business?

Barry: Let them in! Look what they did for Miami. This was a pathetic little town and now it's a big city. It's just so silly. Let people come in and work, but come in and *work*. If we let them come in for the purpose of signing them up for government programs, I'm not too enthused about that.

Reason: One of the planks in your presidential campaign is the Department of Two Guys Named Victor.

Barry: This is one of those times I wasn't kidding. At the time, we were mad at Moammar Gadhafi, which resulted in us bombing all over Libya and killing a bunch of people, but not him. Then Ronald Reagan gets up and says we're not trying to kill him, we're just dropping bombs. You can kill all the Libyans you want, but legally you can't try to kill the leader.

The other one was Manuel Noriega. Here we have a problem with just one person, and we send all these troops down to deal with it. All these people get killed and hurt, but not Noriega.

So instead of messing around with armies, get a couple of guys named Victor. The president meets with them and has breakfast, or he goes to dinner with them at the restaurant of their choice, and suggests that he's having a problem. Then the next thing you know, you read in the paper that Saddam Hussein has suffered an unfortunate shaving accident resulting in the loss of his head. We don't involve a lot of 22-year-old kids in this dispute between George Bush and Saddam Hussein.

Reason: Let's talk about Vietnam. Did you think the war was evil, that we were fighting the wrong guys, or was it like, to paraphrase Muhammad Ali, "You didn't have any quarrel with no Vietcong"?

Barry: First of all I thought that was the best argument anybody ever gave against going to Vietnam. The most articulate, clear-cut, understandable, accurate, rational argument ever. To me, it showed a lot more wisdom than a lot stuff I heard from anti-war people. There was a lot of talk about why we should be opposed to the war that was pro-totalitarian.

I felt ashamed at the time to say I didn't want to go. I didn't have any stake in that war. I didn't want to get killed; I didn't know anybody over there that I wanted to go over and kill on behalf of. I think the real gut-level reason was what Ali said. But at the time I felt that you had to have a moral justification. It didn't occur to me then that the moral justification is that other people can't tell you who to kill.

If they come for my kid, I'd say, "Go, if you want to go fight a war. If you don't, you don't. Nobody's got the right to tell you." I see that more clearly now than I did then. But in the climate of the times I believed the government *did* have the right to tell us all what to do, but that in this case they were just making a terrible mistake. I admire more the people who just said, "I'm not going because I don't want to."

But I had conscientious objector status. I got it because my dad was a C.O. in World War II. My dad was a Presbyterian minister. And I went to a Quaker college. Neither of those things had anything to do with me. But to my draft board—a bunch of plumbers in Peekskill, New York, making decisions about who should go and who shouldn't—that looked good.

I was really against that war, but to be a C.O., you had to believe that there was no circumstance under which you would ever kill anybody. And I can't say I honestly felt that. I would definitely kill people. I would have liked to have killed my draft board at the time.

This was in 1969 and it was getting harder to find jobs that were acceptable because they were all getting filled up with C.O.s. I ended up working for the Episcopal Church national headquarters in New York City as a bookkeeper. That's what I did for two years. But I was happy, because I knew guys who were getting shot. Sometimes I can't believe this actually happened in this country.

Reason: Let's play a little game.

Barry: You're not gonna ask me what kind of tree I would be?

Reason: That's the last question. Let's do a little word association. I'll give you the name of a political figure and you say the first thing that comes to mind.

Barry: Oh, I hate this.

Reason: Oliver Stone.

Barry: Am I only allowed to say one word? Shithead. Oliver Stone—did you mean Oliver North or Oliver Stone?

Reason: Oliver Stone.

Barry: Oh, Oliver Stone. Shithead.

Reason: Janet Reno.

Barry: Out of her depth. I actually kind of like Janet Reno. She seems like a nice enough lady. But when you're basically going through the entire phone book trying to find women lawyers who don't have maids to pick the attorney general of the United States, how well can you do?

Reno taking responsibility for the Waco thing made me crazy. Just enraged. Seemingly nobody wants to know what actually happened. There were some gun violations and we end up in a situation where we are surrounding them. I kept saying, "Why don't they just walk away? Just walk away. Nobody has to die. Walk away. Later on, arrest them when they come out. But walk away."

But no, we can't do it. So we order these tanks to attack this building full of crazy people with kids, and lo and behold, bad things happen. Ha! Knock me down with a feather. What got me is when Janet said, "I'll take responsibility." No. You can't say that. And if you mean it, then you have to resign your job right away.

Maybe what she meant was "I'll take political responsibility for it," which turns out to be a big plus. But if you're going to take real moral responsibility for those deaths, then take it. But don't take it and say you're still going to be the chief law enforcement officer of the United States.

That's not what you wanted. You wanted a one-word answer.

Reason: That's OK. Bill Clinton.

Barry: He's such a putz. He's basically my age; I knew a lot of people like him in college. It starts to really come home to you how inadequately prepared anybody is to be in charge of your life from a distance and to be given a lot of power when that person is basically your age and background. He strikes me as a pathetic figure. Because you can be the smartest person in the world—which he is, and if he's not, his wife is—and care more than anybody else in the world—which he does, I don't doubt that for a minute. And you can care so much that you're willing to be dishonest—you can tell people one thing but do another because you really know it's for their own good. And you'll still screw it all up. Because the whole premise of what you're doing is wrong!

Reason: I was talking to one of your editors as I did my lengthy—lengthy, Virginia!—preparation for this interview...

Barry: And it cost a lot, too!

Reason: One of your editors said, "Well, Dave's a libertarian, that's true. But he's not an irresponsible libertarian." Doesn't that kind of take the fun out of it?

Barry: I'm not sure what they mean by that. If you tell most people what libertarians think, they immediately assume that you cannot mean it all the way, that you're really just taking a position for argument's sake. When you say you don't think we should have public schools, they can't believe you mean *that*. You must mean that they should be smaller. But you can't really mean *no* public schools. Therefore, if I don't argue too much, they probably think I'm responsible. I don't think I'm particularly responsible. I resent that!

Reason: Last fall you wrote a piece in the *Tropic* and explicitly acknowledged being a libertarian...

Barry: John Dorschner, one of our staff writers here at *Tropic* magazine at *The Miami Herald*, who is a good friend of mine and an excellent journalist, but a raving liberal, wrote a story about a group that periodically pops up saying that they're going to start their own country or start their own planet or go back to their original planet, or whatever. They were going to "create a

"I got I don't know how many letters from Coral Gables homeowners, story after story after story, wonderfully horrible stories. And the venom they felt for their own government! You cannot paint the exterior of your house. You have to take the paint chip down to show the paint-chip Nazis. It goes on all the time and it's hilarious. People are afraid to own their own homes. People are afraid their own government will catch them fixing their houses."

libertarian society" on a floating platform in the Caribbean somewhere. You know and I know there's never going to be a country on a floating anything, but if they want to talk about it, that's great.

John wrote about it and he got into the usual thing where he immediately got to the question of whether or not you can have sex with dogs. The argument was that if it wasn't illegal to have sex with dogs, naturally people would have sex with dogs. That argument always sets my teeth right on edge.

And I always want to retort with, "You want a horrible system, because you think the people should be able to vote for laws they want, and if more than half of them voted for some law, everyone would have to do what they said. Then they could pass a law so that you had to have sex with dogs."

I was ranting and raving about this here in the office. So my editor, Tom Shroder, said "Why don't you write a counterpoint to it?"

So I wrote about why I didn't think libertarians are really doing this kind of thing so that they can have sex with dogs. I discussed some of the reasons that a person might want to live out of the control of our federal, state, local, and every other form of government. Actually, I don't think I even called myself a libertarian in the article. I think Tom Shroder identified me as one.

Reason: Did that give you pause, coming out of the closet on this?

Barry: I guess libertarianism is always considered so weird and fringe that people assume that you're in the closet if you don't go around talking about it. Usually in interviews we're talking about humor writing and they don't bring it up. Because I don't write an overly political column, people just assume I'm not. I guess nobody assumes anybody is a libertarian. It's a more complex political discussion than most people are used to, to explain why you think the way you do about public education or drug laws, and why it's not as simple as being for or against something.

Reason: Did you get any mail about being a libertarian after that article?

Barry: I got a few letters, mostly pretty nice. One or two letters saying, "Here's why it wouldn't work to be a libertarian, because people will have sex with dogs." Arguments like, "Nobody would educate the kids."

People say, "Of course you have to have public education because otherwise nobody would send their kids to school." And you'd have to say, "Would you not send your kids to school? Would you not educate them?" "Well, no. I would. But all those other people would be having sex with dogs."

Reason: How did you become a libertarian?

Barry: I can tell you the person responsible. His name is Sheldon Richman and he is still something of a wheel in libertarian circles. He's at the Cato Institute now. Sheldon and I were working for competing newspapers when we met in suburban Philadelphia in the early '70s. We were at municipal meetings, which were hell for Sheldon. He was a libertarian way, way back. I don't know what I was. I came out of college with lots of trappings of '60s radicalism which had been tempered somewhat by the fact that almost all the real radicals I knew were assholes. You know, the guys who were "for the people," but really just seemed to hate people. And guys who wanted to be in Weatherman mainly so they could get into fights.

Sheldon and I would argue. I mean, *really* argue. Well, what if a baby is born with no arms and no legs and his parents both die? Huh? Doesn't society have a obligation? Sheldon was wonderfully patient and had a excellent sense of humor and never lost his temper, which is not true of me. I'd yell at Sheldon and get furious at Sheldon, but we were still friends.

I left journalism for a while and I was working for a consulting company where I taught effective writing seminars and by my recommendation we hired Sheldon. We argued more. I was a middle-of-the-road Democrat more than anything else. I know I voted for Carter. Watergate taught me how bad the Republicans were. Then in the late '70s, I begin to see. I think the gas crisis had something to do with it. I began to realize, this is all happening because of the government. And I began to think about all the government people I knew, all the times I'd sat in meetings with Sheldon, watching people who were theoretically for the common good. Then I realized not one of them was and none of them ever have been. All these things Sheldon had said to me: There is no such thing as the common good, there is no such thing as society. He was right.

So I wrote him a letter. "Sheldon, I just wanted to let you know that in all the arguments you were right."

Reason: Here you are a libertarian and you work for *The Mi-*

ami Herald, conceivably the most anti-libertarian newspaper in North America.

Barry: You mean our editorial board. The eight or 10 people who nobody knows here who speak for this paper.

I don't like anything unsigned in a newspaper that purports to be the opinion of some group if we don't know who the group is. It's laughable to say that *The Miami Herald*'s editorials or any newspaper's editorials represent any views other than those of the people writing them, so why don't we tell everybody who they are?

It bothers me greatly that we have this system of opinion pages that dates back to when you knew who the owner of the paper was and his editorial told you what he thought. We should call editorials what they are: columns written by committees. If you want to agree with the committee, that's great. But they don't speak for me and they don't speak for a lot of people who work at the paper. I want to gag sometimes when I see who "we" are recommending that people vote for, and not just as a libertarian.

Reason: Is this a reference to the First Lady's brother?

Barry: Yeah. We are recommending that people vote for Hugh Rodham for the Senate of the United States!

Reason: You write a lot about rock 'n' roll. From a philosophical standpoint, what's the worst rock 'n' roll song of all time?

Barry: My nomination right off the top my head is a song that was a hit in the '70s—"Signs, signs, everywhere signs, blocking up the scenery, breaking my mind, do this, don't do that, can't you read the signs?" Basically a diatribe against property rights.

Reason: That was by The Five Man Electrical Band.

Barry: It's a real smug self-righteous punk kid saying nobody has the right to tell him what to do and how dare you put a sign up saying that I can't go on your property? Hey, kid! Stick this sign up your ass.

Reason: You wrote a serious column about your son's bicycle accident, in which you concluded that he should wear a helmet even though he looks like a dork. Now a lot of states are considering mandatory bicycle helmet laws. What do you think about that?

Barry: I got a lot of mail about that column, which is the only serious column I've ever written that went out as a regular column. It was the only time I ever had anything to say, which is, "Make a kid wear a helmet."

I got a lot of mail from organizations concerned with bike safety. Then I got a couple from people who wanted my support for mandatory helmet laws. I can't support that. If you pass a law like that you'll do more harm than good, because you'll make people think they've done something about the problem when they haven't.

There's only one way kids will wear helmets, and that's if their parents are nagging them to. They will never wear helmets because some state passes a law requiring it.

I genuinely think in this case—just 'cause I know my son and I know his friends—that that kind of legislation would focus responsibility in the wrong place. It's not up to the cops, for God's sake. So I know that all over America there's probably politicians sending out pictures of themselves signing that mandatory helmet bill, but it's bullshit. I say that as a parent.

Reason: As your son grew up and began getting into activities where he had the potential to break things and kill himself, did that cause you to rethink your views?

Barry: No. He does hurl that back in my face sometimes. I said, "Rob, as soon as you are paying your own way in life, I'll stop telling you what to do. But you're not. You're taking money from me, living in my house." I try really hard to make him a responsible person.

Reason: What if the 7-Eleven down the street put in a vending machine where you could get heroin for a quarter?

Barry: And then have sex with a dog? Meaning what? My son wouldn't go get heroin. If he did or didn't, it wouldn't have anything to do with whether it was legal or illegal. I did all this stuff that was illegal when I was a kid. I drank beer when I was 15. I smoked cigarettes when I was 13. I drove to New York City when I was 14—don't tell my son. Those things were against the law, but I did them anyway. I didn't become a heroin addict, although I probably could have gotten heroin somehow. I don't think my son would buy heroin at any price. He knows what it is, and he knows how stupid it is. Any parent that relies on any law to help him parent is an idiot.

Reason: Why did you leave Coral Gables, the Miami suburb that's the libertarian paradise?

Barry: God, you talk about a libertarian nightmare! We got a ticket for painting our own living room white. And they came to the door, a guy in a uniform.

Reason: This is inside the house?

Barry: The interior living room. It turned out you had to have a permit if the job cost more than $50. I don't know what you can possibly do for less than $50 to have somebody come in your house. I had to pay the painter to go down to the city hall. This is after I called up city hall and ended up actually screaming. The painter spent a day getting a permit to do a job that took about half a day to actually do.

Then I wrote a column about that and discovered that there were people in Coral Gables who would wait until 2 o'clock in the morning to replace a sink because to do it during the daytime you'd see the trucks outside. Two trucks. That's a carpenter and a plumber. So that's two different permits. People were not fixing their houses because they didn't know how to get the permits. It was crazy.

Reason: If you have a cat out of the house, it's supposed to be on a leash there.

Barry: Yeah, and you're not allowed to park a truck in your driveway. You're not allowed to work on your house on Sunday. The people who enforce these laws are nuts. After I wrote a column on this, I got I don't know how many letters from Coral Gables homeowners, story after story after story, wonderfully horrible stories. And the venom they felt for their own government! You cannot paint the exterior of your house. You have to take the paint chip down to show the paint-chip Nazis. It goes on all the time and it's hilarious. People are afraid to own their own homes. People are afraid their own government will catch them fixing their houses. ℞

What Causes AIDS?

The debate continues

In the June issue of REASON, Charles A. Thomas Jr., Kary B. Mullis, and Phillip E. Johnson argued that the hypothesis that HIV causes AIDS has been falsified and that it is important to reopen scientific debate on the question. REASON takes no stand on the former conclusion—though the editors believe the article made a strong case—but it strongly supports the latter.

To further that debate, REASON solicited letters from scientists pursuing AIDS research and others with a strong interest in the subject, some of whom responded. We also received numerous letters from readers. A selection is printed here, along with the authors' reply.

● **"What Causes AIDS? It's An Open Question"** provided a lucid explanation for skepticism over the role of HIV in AIDS. As an African historian, I am appalled by the unscientific diagnoses of AIDS in Africa and the persistence of Western racist myths about sexual promiscuity on that continent. "What Causes AIDS?" gives my students a valuable introductory source to begin rethinking AIDS in Africa.

As chairman of the History and Philosophy of Science Section for the Pacific Division of the American Association for the Advancement of Science (AAAS), I included Thomas, Mullis, and Johnson at a symposium on "The Role of HIV in AIDS: Why There is Still a Controversy," which I organized for our June 1994 conference in San Francisco. Even though the symposium was approved by the executive committee of the Pacific Division in January and publicized in division newsletters sent to 30,000 members, the AIDS establishment mounted a behind-the-scenes effort in May to either cancel the symposium or seriously reconfigure it.

The increased desperation of the HIV=AIDS orthodoxy among journalists and within the biomedical research establishment will prompt more attempts to stifle debate. Their efforts to mislead the public through scientific censorship are doomed to failure as

HOLLY FREEDMAN

long as we can count on courageous publications like REASON.

Charles L. Geshekter
Professor of History
California State University, Chico
Chico, CA

◆ **I was glad** to see REASON entering the HIV/AIDS fray. My own experience in writing about this subject has convinced me that Thomas, Mullis, and Johnson are right.

Often cited as evidence that HIV, and not drug use, is the real cause of AIDS, is a paper published in *Nature*, written by Ascher, Sheppard, and Winkelstein. I was surprised to read, in a March 11, 1993, story by Gina Kolata in *The New York Times* that this *Nature* article had been written specifically in response to an op-ed piece I had written for the *San Francisco Chronicle* six months earlier. "Dr. Ascher and his colleagues wrote their paper in response to a challenge by Tom Bethell," Kolata wrote, quoting Ascher as saying that "Tom Bethell threw down the gauntlet," forcing them to do the study. I can only say that this must be the first medical study ever written specifically in response to an op-ed piece by a journalist, and then published by *Nature*. Any doubts that I may have had about the political character of AIDS vanished when I read Kolata's weird article. The fact is, I am now convinced, AIDS is not a disease at all—it is a government program.

At the June AAAS meeting in San Francisco, Bryan Ellison, a graduate student in Molecular and Cell Biology at U.C. Berkeley, presented a reappraisal of the Ascher study, having obtained the raw data on which it was based. Ascher et al. had examined a cohort of about 1,000 men in San Francisco and had found that, surprise, surprise, all of those who developed AIDS were HIV positive! Once again, however, the definition of AIDS included HIV positivity. The real question was: How many AIDS-defining diseases were to be found in the HIV-negative cohort? Ascher et al. had failed to report this key information. But the raw data from the original survey showed at least 45, and possibly as many as 200, AIDS-related diseases among the HIV-negative men, Ellison told the AAAS gathering.

Tom Bethell
Hoover Institution
Stanford, CA

◆ **"What Causes AIDS?"** exaggerated some facts out of context to reach outrageous and misleading conclusions.

HIV is a silent, fatal, contagious disease that is in fact spreading now into the heterosexual population, especially adolescents, and the usual public-health strategies that have been employed for decades to halt the spread of the virus have not been applied to this illness due to certain political lobbies. These same groups love to utilize "AIDS" data rather than HIV prevalence since, with a silent 10-year latency, AIDS data tells you what was happening 10 years ago.

Recently, the Centers for Disease Control released data from 22 of the 24 states reporting HIV cases (not including California, New York, etc. where rates are highest). For male teenagers, the ratio of HIV to AIDS cases is eight to one. For female teenagers, the ratio is 22 to 1. When you analyze AIDS data, you don't see the epidemic coming because you're looking backward, the wrong direction. For Thomas et al. to claim that the virus "remains almost entirely confined to the original risk groups" is untrue and dangerously lackadaisical. Summarizing the recently released CDC data, *AIDS Alert*, October 1993, concludes, "the fastest growing mode of infection is through heterosexual contact while intravenous drug use has leveled and homosexual transmission has declined."

Thomas et al. present "evidence" that HIV does not lead to AIDS because many people have HIV without these diseases. This is entirely consistent with the long latency period. And the vast majority of those dying of AIDS have HIV.

The authors wrongly contend that the HIV antibody test is plagued by false positives. The test is extremely sensitive, and final reporting is made specific by the confirmatory Western Blot and other back-up tests. Col. Donald Burke, a research virologist at Walter Reed Hospital, has personally supervised several million HIV blood tests for the routine Army testing of recruits. His statistics demonstrated that HIV testing resulted in less than one false-positive in one million blood tests.

It is frustrating for me to see Thomas et al. use the fascinating mysteries of this disease to bring fuel to the fire of those who have been hindering a prudent scientific approach to this epidemic.

Daniel Cosgrove, M.D.
Palm Springs, CA

◆ **As a scientist,** albeit not an expert on AIDS, I would like to explain why I did not find the article by Thomas, Mullis, and Johnson to be very convincing. First, it is no surprise that some people who are HIV-negative fall ill with the diseases associated with AIDS (Kaposi's Sarcoma, certain types of pneumonia, etc.). These diseases are not new. Factors other than HIV virus can damage the immune system and may make individuals susceptible to these, and other, illnesses.

What we have been seeing since the early 1980s is a much larger number of immunodeficient individuals exhibiting a number of hitherto uncommon illnesses, who are also infected with the HIV virus. We also see that a significant number of people lacking the symptoms of AIDS soon develop them after being exposed to the bodily fluids of individuals infected with HIV.

In the absence of any other explanation, simple induction leads us to the conclusion that HIV is either the cause, or part of the cause, of AIDS. True, in the absence of a causal mechanism for AIDS this is not final proof that HIV causes AIDS, but currently it is the best explanation we have.

Second, it is also not surprising that some HIV-positive individuals do not develop the symptoms of AIDS. In the population of millions of HIV-infected individuals, it is to be expected that genetic diversity should ensure that at least some individuals are resistant or even immune to HIV. If this were not so, the plethora of other diseases and plagues that humans were subject to before the discovery of vaccines, antibiotics, and modern medicine would have long since caused our species to become extinct. In this respect, HIV infection should be no different.

If the authors and their intellectual ally, Dr. Peter Duesberg, are convinced that HIV does not cause AIDS, then let them put forth an alternative hypothesis and propose a course of research to determine the true cause of AIDS. Creative research is much more difficult than criticizing the efforts of others.

Ron M. Kagan
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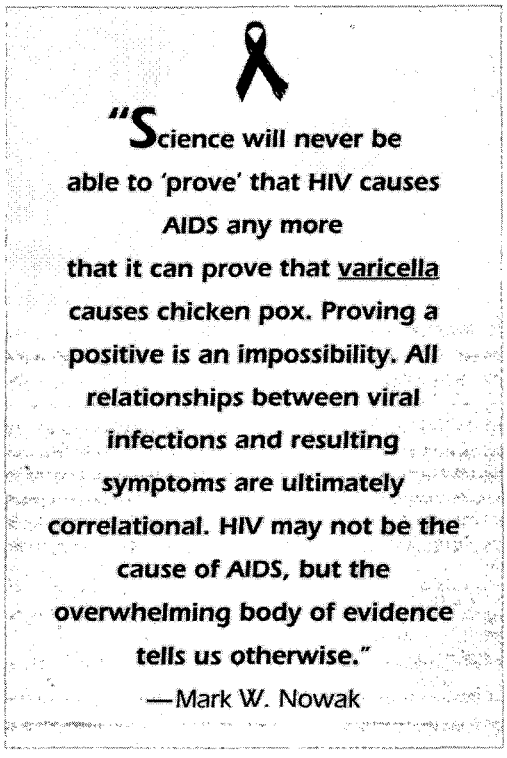
Los Angeles, CA

● **Is HIV "a** conventional retrovirus with a very simple genetic organization"? Well, most retroviruses can get by with three or four genes, whereas HIV has nine. All other viruses in the subfamily to which HIV belongs (the lentiviruses) are responsible for fatal immune-cell disease in animals (sheep, cattle, horses, cats, monkeys), and scientists have not been able to develop a cure for any of these either.

Was the HIV=AIDS dogma established, without scientific foundation, by a press conference? No. Although considerable publicity was attached to a premature announcement by Dr. Gallo in 1984, there was agreement by consensus, not by fiat. The relevant scientific papers were published a few days later in the May 4 issue of the journal *Science* and served as confirmatory evidence of the strong association between AIDS and a retrovirus similar to one that had been discovered the year before in a wide variety of AIDS patients by researchers at the Pasteur Institute in France.


"Science will never be able to 'prove' that HIV causes AIDS any more that it can prove that varicella causes chicken pox. Proving a positive is an impossibility. All relationships between viral infections and resulting symptoms are ultimately correlational. HIV may not be the cause of AIDS, but the overwhelming body of evidence tells us otherwise."
—Mark W. Nowak

Several other investigators in this same time period were also in the process of isolating a virus from their AIDS patients (Karpas in England, Rossi in Italy, Francis in Atlanta, and Levy in San Francisco). All of these viruses, initially called by different names, eventually turned out to be variants of the same virus. The name was not standardized to HIV until 1986.

Is there not "even a theoretical explanation for the disease-causing mechanism"? Of course there is. Although the immune response to the initial HIV infection soon eliminates free virus particles from the bloodstream, it is usually unable to eliminate the virus if it has already infected cells in the organs of the lymphatic system. Once there, the virus slowly propagates from cell to cell like a cancer, gradually infiltrating these organs (the lymph nodes, spleen, thymus, tonsils, adenoids, appendix, etc.), many of which are redundant and can withstand a lot of damage before there are any obvious symptoms of impaired function. Blood cells that are susceptible to the virus, called T-helper lymphocytes, continually circulate through the diseased lymphatic organs and are gradually trapped and killed off. The part that is not understood, and for which "increasingly exotic causal mechanisms" have been proposed, is whether the virus kills them directly, or the immune system itself kills them because the mere presence of the virus has made them abnormal.

Are HIV-negative cases of AIDS being ignored or covered up by the medical establishment? Hardly. In 1986, a patient from West Africa with obvious AIDS was found to be negative for HIV. This led to the discovery of a defined AIDS-causing lentivirus now called HIV-2.

Are the opportunistic infections that are characteristic of AIDS sometimes found in the absence of HIV? Of course. They are simply rare in the general population, not non-existent! They were discovered and named long before AIDS came along, and can get the upper hand in anyone whose immune system is temporarily depressed. Thousands of such people "disappear from the official statistics" because they get well, not because the CDC is engaged in some sort of nefarious cover-up.

Nevertheless, since HIV is now so widely used as a diagnostic test for AIDS, the possibility does exist that an epidemic of HIV-negative AIDS could occur without our realizing it from standard statistics. This is why an exhaustive search for HIV-negative patients with profound unexplained immunodeficiency was undertaken in 1992. Less than 100 scattered cases were identified worldwide. They were studied and their disease given a new name (ICL) because their immune abnormalities were found to differ slightly from those typical of AIDS. In any case, the number of such patients compared to the hundreds of thousands of AIDS patients reported around the world is vanishingly small.

If the authors of this article truly believe that there is an epidemic of deaths from sustained immune deficiency that can not be explained by HIV or other known causes, I urge them to avoid the entrenched HIV=AIDS hypothesis by reporting these cases to the CDC as a new disease, rather than attempting to link them to AIDS.

George Fergus
Schaumburg, IL

◆ **Thomas, Mullis, and** Johnson state that "chimps have repeatedly been infected with HIV, but none of them have developed HIV." True enough, and none ever will. Chimps are not susceptible to HIV because that virus targets the human, not simian, genome. But chimps infected with the SIV (simian immunodeficiency virus, a virus genetically similar but not identical to HIV) do develop suppressed immune systems and the symptoms of AIDS. It is inexplicable that these writers do not recognize that a chimp's failure to contract AIDS from HIV no more addresses the consequences of HIV infection in humans than does the hu-

man failure to contract feline leukemia virus indicate that cats cannot contract leukemia either.

This impressive display of epidemiological ignorance casts doubt on their ability to interpret evidence wisely, but there's more.

They say the virus is generally not detectable in people with advanced AIDS; a large body of literature exists confirming that the virus is present and detectable during all stages of the disease. They claim HIV is a simple retrovirus that is not capable of the sophisticated behavior it apparently displays; epidemiologists have described HIV as a complex virus whose full genome is not yet understood.

Thomas, Mullis, and Johnson imply that Warner C. Green in an article in the September 1993 *Scientific American* acknowledges the supposed tenuous connection between HIV and AIDS. Green does nothing of the sort. In fact, in that article he writes: "I must emphasize that all responsible opinion holds that HIV is indeed the cause of AIDS. A small number of cases of people with immune deficiency who are not infected with HIV received inappropriately widespread publicity last year, which fostered the unsubstantiated notion that there is another cause of AIDS not detected by current blood tests."

The authors also suggest that causality between HIV and AIDS has not been proven; all we have, they say, is a correlation between the two. Science, however, will never be able to "prove" that HIV causes AIDS any more that it can prove that *varicella* causes chicken pox. Proving a positive is an impossibility (an assertion can only be disproven). All relationships between viral infections and resulting symptoms are ultimately correlational. (With HIV the authors fail to assert that this correlation is strong; virtually everyone infected with HIV develops AIDS-like symptoms within 10 years.)

HIV may not be the cause of AIDS, but the overwhelming body of evidence tells us otherwise. Suggesting, as the authors do, that the government is standing in the way of finding the *real* cause of AIDS given the amazing lack of evidence for such a statement is irresponsible. The authors should not have made it, and REASON magazine should not have printed it.

Mark W. Nowak
Arlington, VA

◆ **The epidemiologic, laboratory,** and clinical evidence that HIV is the cause of AIDS is overwhelming. This evidence has been used as a basis for national and international prevention programs and clinical and vaccine trials.

Thomas et al. mix fact with fiction to misinform readers. For example, the authors suggest that AIDS cases are an artifact of the CDC's AIDS surveillance case definition, that there are "thousands of cases of AIDS without HIV," and that "such cases tend to disappear from the official statistics."

The AIDS surveillance case definition was not designed to prove the existence of HIV. However, it provides additional evidence to what epidemiologic and laboratory studies have already told researchers—that HIV causes AIDS. Case definitions of any disease or health condition are basic tools of public health surveillance. They are devised by epidemic investigators in response to clusters or outbreaks of new or unusual health phenomena. The first CDC AIDS surveillance case definition was developed in response to clusters of patients with unexplained opportunistic infections and Kaposi's sarcoma in 1981. Patterns identified from early case reports provided convincing evidence that the new syndrome was caused by an infectious agent. This definition has been expanded three times (in 1985, 1987, and 1993) in response to greatly increased knowledge of the immunopathology and health effects of HIV infection; each expansion served to encompass more persons with symptomatic HIV infection. Thus, far from being an artifact, the CDC's AIDS surveillance case definition is what it was intended to be—a tool to track the many persons in the latter stages of HIV infection.

The authors claimed that there are "thousands of cases of AIDS without HIV." A small percentage of cases reported to CDC have been in patients who have never had an HIV antibody test. The majority of these cases were diagnosed and reported before the first HIV antibody test was licensed in 1985. These cases were diagnosed based on the presence of "indicator" diseases (mainly Pneumocystis carinii pneumonia and Kaposi's sarcoma) that are very rare in immunocompetent persons not infected with HIV. In addition, their supposition that these cases were further defined as idiopathic CD4+ T-lymphocytopenia (ICL) is not true. Investigations show that ICL cases and AIDS cases differ epidemiologically. Thus far, researchers have found that ICL is rare, and that no more than 100 of these cases exist.

AIDS cases do not disappear. Missing or incomplete information that accompanies AIDS cases reported to CDC through state health departments is often updated. Most cases reported without risk information are reclassified as follow-up investigations are completed.

The inevitable conclusions of more than a decade of research are that most people exposed to HIV through sexual contact, injecting drugs, or transfusions are susceptible to HIV infection. Nearly all persons who become infected with HIV will eventually develop AIDS.

Surveillance data have been useful in developing prevention and control programs for persons at risk of HIV infection. AIDS prevention programs continue to be based on our understanding of scientifically defined HIV transmission modes because prevention of AIDS is prevention of HIV. To deviate from or ignore this concept would result in an unconscionable tragedy.

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◆ **"What Causes AIDS?"** contains misleading and incorrect information questioning the contagious nature of HIV infection and its causal role for AIDS. This has serious consequences, as this infection almost invariably results in long, painful, terminal illnesses and death. The authors are distinguished in fields far removed from the epidemiology of HIV and AIDS about which

they pontificate. Would any of your readers hire an electrician to repair a faulty toilet?

The authors assert, "The only evidence that HIV does cause AIDS is correlation." Correlation has established the causes of many diseases: smoking and lung cancer, Staphylococcus aureus infection and toxic shock syndrome, and ionizing radiation and leukemia, to name a few. They state, "There are many cases of persons with all the symptoms of AIDS who do not have any HIV infection." This is not surprising as immune suppression, the underlying cause of AIDS, may result from defective genetic mechanisms, toxic chemical exposures, medicinal treatments, and infections other than HIV. They also assert, "There are also many cases of persons who have been infected by HIV...and show no signs of illness." About half of all HIV-infected persons develop AIDS within 10 years and of these, 90 percent are dead within two years. In studies observing HIV-infected persons for more than 10 years, over 85 percent have developed AIDS.

The authors claim that the San Francisco Men's Health Study, for which I am "principal investigator," was "designed not to test the HIV theory but to measure the rate at which HIV-positive gay men develop AIDS. They did not compare otherwise similar persons who differ only in HIV status, did not control effectively for drug use, and did not fully report the incidence of AIDS-defining conditions in the HIV-negative men." These assertions are misleading or just plain false.

The San Francisco Men's Health Study is an epidemiological investigation of the cause or causes of AIDS, its transmission, and the natural history of the disease. Participants were a random sample of 1,000 single men living in AIDS-affected areas of San Francisco in 1984. When a serological test for HIV infection became available in late 1984, the participants were tested to determine HIV-infection status. This allowed the investigators to conduct a large number of important analytic studies of causal factors, modes of transmission, and the natural history of HIV infection and AIDS.

An analysis of drug use, AIDS incidence, and progressive immune deficiency, using appropriate statistical techniques and proper controls, was published in 1993. No relationship between drug use and AIDS incidence or immune deficiency progression was found. The advocates of the drug etiology of AIDS have never accepted these findings nor the findings from several other rigorous studies of the drug hypothesis.

Because an AIDS diagnosis is almost invariably followed by death within two years, deaths may be substituted for AIDS diagnoses to evaluate the occurrence of cases among the uninfected. In the San Francisco Men's Health Study, 581 participants, who were uninfected by the HIV on entry, remained uninfected for over eight years. Among them, eight deaths occurred, for a cumulative rate of 1.4 percent. Of the 400 men infected by the HIV, 169 deaths occurred, for a cumulative rate of 42.3 percent. These data are inconsistent with the contention that there were AIDS cases among the uninfected.

Space precludes a complete refutation of the other misstatements which burden the article. The readers of REASON magazine should not be misled about the consequences of HIV infection. As indicated above, these consequences are very serious. Regardless of whether or not HIV infection causes AIDS, it is a strong predictor of premature death.

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◆ **It has now** been over three years since I first challenged Peter Duesberg and a co-writer that if they really don't believe HIV causes AIDS they should publicly inject themselves with the virus. It would hardly be the first time a doubter of a pathogen-disease hypothesis has intentionally exposed himself. Nevertheless, Duesberg and fellow have steadfastly refused to do so and neither have any of Duesberg's vocal followers volunteered to take their place. They won't shoot up, but as their article "What Causes AIDS? It's An Open Question," shows, they won't shut up, either.

To address just a few major points:

They write that "after spending billions of dollars, HIV researchers are still unable to explain how HIV, a conventional retrovirus with very simple genetic organization, damages the immune system, much less how to stop it."

Only three retroviruses have been discovered, the first barely over a decade ago. How does one become "conventional"? The authors want us to believe that because it is "conventional" and simple genetically it should have been cured by now, but *all* viruses are genetically simple and we have cures for *none* of them. What will make curing HIV all the harder is that it is so very unconventional in that unlike any other human virus we know about, it attacks the very immune system and to date our disease-fighting tools have always relied on the immune system as an ally.

As to how it damages the immune system, there are numerous medical journal articles on the subject, the latest in the June 2 issue of *Nature*. This doesn't mean we understand how HIV works in the same way that we understand, say, internal combustion in a piston engine. Human physiology is infinitely more complicated than a motor. Still, we certainly know more about the actions of HIV than we do about most viruses simply because HIV has been so heavily studied. Finally on this point, knowing the cause and knowing the cure may have little or no relationship. For hundreds of years, people knew that cigarette smoking caused lung cancer, yet the cure rate for lung cancer even today is dismal.

The authors state, "In the absence of any agreement about how HIV causes AIDS, the only evidence that HIV does cause AIDS is correlation." Aside from ignoring the medical literature, they fail to recognize that epidemiology has always been about correlation. Long before there were electron microscopes, cell lines, and the National Institutes of Health, epidemiologists were identifying diseases and saving millions of lives from them based strictly on careful observance of who was getting sick and why. Walter Reed didn't have the least idea of what yellow fever did on a cellular level, but he saw that it was transmitted by mosquitoes and he was thus able to practically eliminate it. Edward Jenner

developed the first anti-viral vaccine a century before anyone knew what a virus was.

The conspiracists cavalierly dismiss the San Francisco study, reported on in *Nature*, along with the Vancouver one, reported on in the *Lancet*, without providing any detail on them. Here is a brief summary of the San Francisco one. Researchers directly tested the Duesberg thesis that "either drug consumption (frequently associated with malnutrition) by recently established behavioral groups or conventional clinical deficiencies are necessary and sufficient to cause indicator diseases of AIDS." They compared a set of heterosexuals who were heavy drug users and were negative for HIV with homosexuals who were heavy drug users who were both positive and negative for the virus. Reporting their results in the March 11, 1993 issue of *Nature*, they found that among homosexuals who were seropositive at the beginning of the study, over half had contracted AIDS and most had died. Among the homosexuals who were negative in the beginning and stayed negative, about 2 percent had died but none had been diagnosed with AIDS even when HIV status was excluded as part of the AIDS definition. Among the heterosexuals, less than 1 percent had died and none had gotten AIDS. In addition to devastating the drug-use-causes-AIDS thesis, this study showed as close a correlation between pathogen and disease as one could ever hope to attain.

"The authors fail to recognize that epidemiology has always been about correlation. Walter Reed didn't have the least idea of what yellow fever did on a cellular level, but he saw that it was transmitted by mosquitoes and he was thus able to practically eliminate it. Edward Jenner developed the first anti-viral vaccine a century before anyone knew what a virus was."

—Michael Fumento

All this means nothing to the REASON authors. *Forget those studies; they weren't set up to our exact specifications*, they say. No, and none ever could be. Besides, they say, "the main point they supposedly prove has already been thoroughly disproved: AIDS *does* occur in HIV-negative persons." But no, it doesn't. Certainly one can get diseases that resemble AIDS, just as one can get a disease that resembles the flu. (How often do we hear of someone suffering a "flu-like illness"?) A chronic cough and expectoration of blood can be symptomatic for bronchitis, tuberculosis, or lung cancer. It doesn't mean these are all the same disease. As the authors themselves point out, the definition of AIDS symptoms covers a wide area. Certainly, it's not difficult for other diseases to mimic that which some AIDS patients may be suffering. This doesn't make them AIDS cases any more than a bloody cough makes TB be lung cancer.

Among hundreds of thousands of sufferers of any given disease there will be a tremendous spectrum in manifestation of symptoms and plenty of anomalies, but with HIV there is a strong pattern of disease progression. After a few years of infection persons begin to lose T-helper cells, then begin to develop outward manifestations of immune dysfunction such as oral candidiasis, then begin to suffer life-threatening diseases such as pneumocystis carinii pneumonia. Outside of persons given immune-suppressing drugs, PCP is remarkably rare, so much so that prior to the AIDS epidemic the CDC was dispensing fewer than 100 prescriptions of pentamidine (at that time the only treatment for the disease) a year. In 1993, however, there were over 12,000 confirmed PCP diagnoses and another 7,000 suspected cases, all in HIV-positive persons. In other words, if you don't have HIV your odds of getting PCP are one in several millions. If you do have it, your odds before the introduction of aerosolized pentamidine as a preventative treatment were better than 50-50. Even now, they may be better than one in four. What an amazing coincidence.

HIV cohorts have shown that after about 10 years of infection, half of all persons will be dying while almost all of the rest will be suffering severe symptoms. The authors make much of the fact that some HIV carriers remain healthy even after 11 years of infection. As always, they ignore the rule for the exception, making us think the edge of the bell curve is the top. Probably no pathogen known kills with 100 percent efficacy; indeed, about 90 percent of persons carrying the bacteria that causes tuberculosis will never manifest the disease. An even smaller percentage will suffer symptoms from infection with cytomegalovirus. Indeed, the correlation between HIV and manifestation of symptoms, and the correlation between HIV and death, may prove to be stronger than that for any pathogen present in the human population.

Much of what the authors say is unquestionably true, and just as unquestionably doesn't support their case.

Certainly there are co-factors that increase the rate at which HIV decimates the immune system, co-factors that if blocked might greatly increase the length and quality of life for persons with HIV. Co-factors commonly play a role in disease causation. But nobody says that because mycobacterium tuberculosis appears to work with co-factors to manifest as TB that mycobacterium tuberculosis isn't the cause of the disease. The reason? Because you can have those co-factors, but without the mycobacterium, you don't get TB. Just so with HIV and AIDS. Further, quite the opposite of what the Duesberg conspiracists would have us think, scientists have already been devoting a tremendous amount of research to finding HIV co-factors, albeit with precious little to show for the effort.

And yes, certainly the African AIDS epidemic has been overstated, with every fatal disease under the African sun being dubbed AIDS because that seems to be the only disease Westerners care about. But this does nothing to support the conspiracists' hypothesis. Likewise, I was writing about—and staking my reputation on—the exaggeration of the American epi-

demic, especially with regards to middle-class heterosexuals, long before the authors published word one on the subject. I did so by analyzing patterns of both cases and infections. I noted in 1989 that since stored blood samples indicated that HIV infections appear to have peaked out in American cities around 1981 and 1982 and since it takes on average about 10 years for an AIDS infection to manifest, the epidemic was probably on the verge of peaking. Indeed, the CDC noted recently (to the deafening silence of the media), that using the pre-1993 definition of the disease, AIDS cases did decline in 1992.

Of course I have now become one of the AIDS conspirators—that group of persons so callous and vicious that we are willing to let hundreds of thousands of Americans alone die of this horrible disease. That or I've just closed my mind like a steel trap, like John Maddox supposedly has. "Like other leaders of the scientific establishment," write the conspiracists, "*Nature* editor John Maddox is fiercely protective of HIV theory. He indignantly rejected a scientific paper making the same point as this article."

In fact, toward the end of *Rethinking AIDS*, a Duesberg conspiracy book, author Robert Root-Bernstein crowed: "John Maddox...has written that he should have given critics of the HIV theory, such as Peter Duesberg, room to express their concerns." So he did. It was only after the aforementioned 1993 *Nature* article, along with two other *Nature* articles discussing how HIV causes AIDS, that Maddox editorialized, "Duesberg, having led many people with AIDS on a seductive path, should now admit the likelihood that he is mistaken."

But like the AIDS alarmists against whom they have rightly aligned themselves, neither Duesberg nor his acolytes are ever going to let a little thing like scientific evidence get in the way.

Michael Fumento
St. Petersburg, FL

(Michael Fumento is the author of The Myth of Heterosexual AIDS.*)*

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Charles A. Thomas Jr., Kary B. Mullis, and Phillip E. Johnson reply: Many things have happened since our article was written, all of them supportive of our position. Here are some highlights:

1) Harvard Professor Bernard Fields published a commentary in *Nature* that signalled, in the words of *The New York Times*, that "a new consensus has emerged among many leading scientists that the nation's $1.3 billion AIDS research program is on the wrong track." Planned trials of candidate vaccines have been abandoned as unpromising and dangerous because, according to Fields, "We still have too many serious gaps in our fundamental knowledge to know how to prevent and treat AIDS, and must return to a broader base to study the scientific questions confronting us."

The primary gap, of course, is the absence of anything but speculation to explain how an ordinary retrovirus can be killing billions of immune cells that it doesn't even infect. (That the PCR technique can find genetic sequences associated with HIV—*not* active virus—in lymph nodes does nothing to solve the mystery.) Unfortunately, Fields's back-to-the-drawing board stance, which has been endorsed by top NIH officials, does not imply any real reconsideration of the HIV dogmas that have brought the researchers to this dead end. It means only that some of the AIDS money will be diverted to general biochemical research that is only tangentially related to AIDS.

2) Another Harvard professor and member of the HIV inner circle, Max Essex, published with African colleagues a paper in the *Journal of Infectious Disease* detailing an extremely high incidence of false positive results among both leprosy patients and their uninfected neighbors on HIV antibody tests. In a group of 57 leprosy patients, for example, 70 percent tested positive for antibodies but more extensive testing confirmed the presence of HIV in only 2 patients. The paper concluded that, due to an unexpectedly high rate of false positives on both the ELIZA and Western Blot tests, these standard antibody tests "may not be sufficient for HIV diagnosis in AIDS-endemic areas of Central Africa where the prevalence of mycobacterial diseases is quite high." These results clearly call into question all projections about HIV infection in Africa and elsewhere that are based on antibody testing.

Antibody tests may be more reliable as an indicator of HIV infection in relatively healthy groups like U.S. Army recruits. Our critics misunderstand this subject, however. Both the ELIZA and the Western Blot are antibody tests, not tests for active, replicating virus. Both have also been shown to cross-react with things other than HIV antibodies. To say as Daniel Cosgrove does that the "HIV antibody test" is confirmed by the Western Blot in many cases is merely to say that two faulty antibody tests have produced consistent results.

3) A study by Mulder et al. for the British National Research Council (published in *Lancet*) has been misleadingly cited by CDC officials and others as proof that a pandemic, caused by HIV, is raging through Africa. The study actually does show that, in a Ugandan village population, persons registering positive on the antibody test had a much higher death rate than antibody-negative persons, especially in the age group 25–34. What the HIV propaganda does not say is that the subjects did not die of AIDS. Of 64 deaths of persons aged 25 to 34, *only 5* were diagnosed as AIDS under the very broad "Bangui" (African) definition, which requires only conditions like sustained weight loss and persistent diarrhea. Severely diseased persons are likely to have many microbes in their system, including HIV and other things that produce positive results on the inaccurate antibody tests. That this study of non-AIDS deaths was claimed to support the HIV theory of AIDS and the existence of an African AIDS pandemic is eloquent testimony to the closed mindset that rules the HIV research community.

4) A conference on nitrite inhalants (poppers), held under the auspices of the National Institute on Drug Abuse in May 1994 was attended by such HIV kingpins as Robert Gallo and Harold Jaffe—and dissenter Peter Duesberg. Participants acknowledged that the data do not support the claim that HIV is the sole or even the primary cause of Kaposi's sarcoma (KS) in gay males. This concession is particularly remarkable because KS is still officially one of the prime AIDS-defining conditions, and many gays with KS have been classified as having "HIV disease" on "pre-

sumptive" criteria that do not require antibody testing.

The problem with the HIV/KS hypothesis is that there are dozens of known cases of KS in young gay males who have never been HIV infected, and KS is very rare among non-gay HIV positives. Even the HIV stalwarts now admit that the primary cause of KS must be some agent that is specific to gay men, such as a still-undiscovered sexually transmitted microbe specific to gays, or poppers. Thus while evidence pointing to poppers as a causative factor in KS is ridiculed by the HIV propagandists, the research community is increasingly finding the evidence impossible to ignore.

5) Mounting evidence indicates that what is called "AIDS" in hemophiliacs is caused not by HIV but by the (curable) effect of foreign proteins from treatment with unpurified Factor 8, the blood coagulant that saves hemophiliacs from an early death due to prolonged internal bleeding.

The way the good news about hemophiliacs is expressed in an HIV-obsessed research culture is by lengthening the "latency period," a statistical fudge-factor that is different in every risk group and can be adjusted as necessary to explain why so many HIV-positive people are not sick. A recent British study of 111 hemophiliacs showed that so many fewer than anticipated are suffering immune system failure that 25 percent are predicted to be "AIDS free" for 20 years or more.

"The primary gap in the HIV/AIDS theory, of course, is the absence of anything but speculation to explain how an ordinary retrovirus can be killing billions of immune cells that it doesn't even infect. (That the PCR technique can find genetic sequences associated with HIV—not active virus—in lymph nodes does nothing to solve the mystery.)"

—The authors

What is helping hemophiliacs to avoid immune deficiencies is not harmful and ineffective antiviral drugs, but new purified blood products that do not contain foreign proteins. Highly purified Factor 8 has proved so effective in protecting the immune systems of hemophiliacs that some HIV-minded researchers are thinking of employing it against "HIV disease" in non-hemophiliacs. (Complete details on the hemophiliac studies are provided in a forthcoming paper by Duesberg in *Genetica*.)

This use of the latency period (and mysterious "genetic immunity") to explain away the many healthy HIV positives explains, by the way, why it would prove nothing for Duesberg or anyone else to inject himself with the virus and survive. If he lived 50 years longer and died at 110, HIV science would conclude only that the latency period is sometimes unusually long, or perhaps that Duesberg was one of the lucky folk with genetic immunity. (As for ourselves, we stick to scientific evidence and have no interest in showmanship.)

We find a similar use of this convenient fudge factor in Daniel Cosgrove's argument that the latency period accounts for why nearly 90 percent of AIDS cases are still male in North America and Europe, despite changes in the definition of the syndrome aimed at including more women. That excuse gets thinner every year as confident predictions based upon the "everyone is at risk" ideology fail to come true. We quote again the important finding of the National Research Council: "The convergence of evidence shows that the HIV/AIDS epidemic is settling into spatially and socially isolated groups and possibly becoming endemic within them." This is the opposite of what the HIV theory predicted.

6) The Tenth Annual International AIDS Conference in Yokohama in August 1994 was the last of its kind. The annual gathering of the multitudes who make their living from HIV will be skipped next year, because HIV science is at a virtual standstill and there is nothing of importance to announce. The great breakthrough touted in Yokohama was a study claiming a reduction in the rate of infant HIV infection when expectant mothers and babies were given AZT. The study was terminated abruptly, as has happened with earlier AZT studies that began to show favorable results at an early stage.

In consequence a highly toxic drug that is known to be ineffective and positively harmful in antibody-positive adults will be given routinely to unborn and newborn infants with antibody-positive mothers, although most of these infants would never be HIV infected anyway. The uncertain benefit and great risk would make such a reckless course of conduct unimaginable in normal circumstances, but the AZT lobby backed by HIV hysteria has the power to overrule the prudent standards that protect the public from other dangerous and unproven drugs.

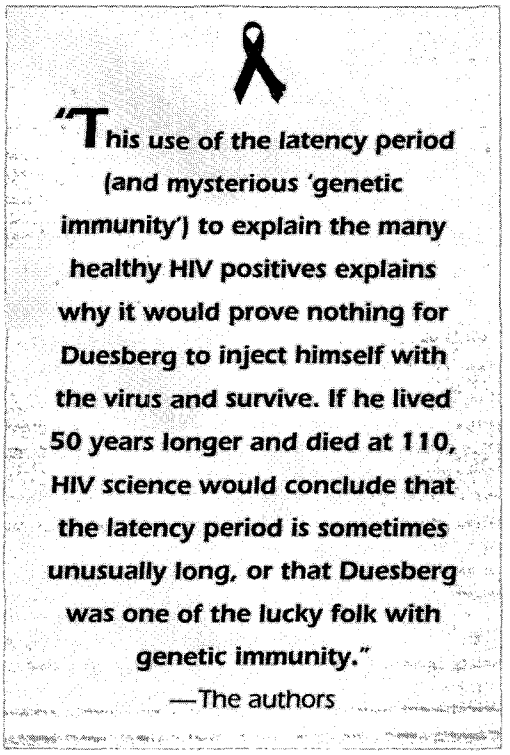
What the Yokohama conference lacked in science it more than made up in scare stories and plans for worldwide social engineering to protect Asia and Africa from depopulation. (As Tom Bethell says, AIDS is not so much a disease as an open-ended government program.) The media as usual reported uncritically the claims that HIV infection is increasing rapidly everywhere in Asia and Africa and that the relatively low number of AIDS cases actually reported is just the tip of the iceberg.

What the media did not report is that the same virus that is supposed to be newly infecting millions of people every year in regions where reliable statistics are hard to come by has been stable in the U.S. population ever since testing began, almost 10 years ago. Every year the AIDS agencies ominously report that "1 million people are now infected with HIV," and the reporters never point out that the figure was exactly the same the year before and the year before that. We call upon the CDC to confirm or deny what *The New York Times* reported months ago—which is that the most reliable studies show that the actual total number of antibody-positive Americans is well under one million, and not rising. The thoroughly researched American figures utterly contradict the inflated claims about HIV infection rates in Asia and Africa—unless we indulge the kind of racist speculation about

non-white sexual habits that Charles Geshekter rightly denounces in his letter.

As one of us (Mullis) has frequently commented, there is no paper in the scientific literature that reviews all the relevant evidence and establishes that HIV is the cause of AIDS. George Fergus to the contrary notwithstanding, the original papers announcing the discovery of HIV in 1984 said only that HIV had been found in some (not all) of a small group of AIDS patients. No proof was presented, but Dr. Gallo and his fellow virologists seemed so confident that the research community wrongly assumed that they *had* the proof. Once that assumption was set in concrete as the foundation for funding, critics could no longer be tolerated.

Instead of a paper that takes the objections seriously and undertakes to prove the point at issue, we find only polemics that assume the HIV theory and defend it against specific criticisms with question-begging arguments. Mark Nowak, for example, says that the failure of HIV to cause AIDS in the many chimps who have been deliberately infected with the virus says nothing about whether HIV causes AIDS in humans. Our point was that one of the recognized ways of proving that a virus *does* cause a disease in humans is to cause the disease in animals by infecting them with the virus, and such efforts have failed with HIV. The chimps do get HIV infection, just like humans, and HIV does no damage to their immune systems. Why not? To say as Mark Nowak and the HIV scientists do that "HIV does not cause AIDS in chimps" is merely to restate the question.


"This use of the latency period (and mysterious 'genetic immunity') to explain the many healthy HIV positives explains why it would prove nothing for Duesberg to inject himself with the virus and survive. If he lived 50 years longer and died at 110, HIV science would conclude that the latency period is sometimes unusually long, or that Duesberg was one of the lucky folk with genetic immunity."
—The authors

The absence of an animal model is not cured by tall tales about the so-called simian immunodeficiency virus. SIV does not cause a syndrome like AIDS in animals. The distinctive and improbable claim of the HIV/AIDS hypothesis is that the HIV supposedly damages the immune system only *after* the immune system has successfully countered the primary infection and reduced viral activity to negligible levels. "SIV disease" follows the primary infection closely, and does not occur after a latency period of ten years during which viral activity in the blood is practically non-existent. It also occurs only in laboratory animals, who tend to have weakened immune systems already. The same retrovirus is found in wild populations causing no ill effects. Other claims of "lentiviruses" causing diseases in animals many years after infection are also controverted in the scientific literature, and may reflect the enthusiasm of virus hunters to attribute disease conditions to the viruses they have discovered.

Because of the absence of an animal model, or plausible mechanism for T-cell destruction by an inactive virus, the whole case for HIV causation rests on correlation. But very sick persons with damaged immune systems carry many microbes, and it is impossible with correlation studies alone to prove that a particular microbe is the effective cause of the syndrome rather than a mere "passenger." To distinguish cause from effect, studies must be carefully controlled. Above all, the syndrome must be defined in a way that does not prejudice the outcome. But the CDC's response to our article admits that AIDS is defined as a range of disease conditions accompanied by real or suspected HIV infection, so that HIV causation is presumed in the definition of the syndrome. The CDC's response, translated from the bureaucratese, is simply "that is how we do it around here." Use of a biased definition that assumes the very correlation to be proved is professional malfeasance on its face.

Things are even worse than that. Tens of thousands of cases of persons with diseases like KS (this is the "small percentage" to which the CDC refers) have been diagnosed on presumptive criteria without antibody tests, and this practice is still allowed. Duesberg's estimate of several thousand American cases of AIDS without HIV comes from examples in the medical literature where individuals were diagnosed with AIDS on the basis of disease conditions or immune deficiencies and then the diagnosis was reversed when HIV was not found. We consider this estimate conservative, because in logic every person with a condition that would be diagnosed as AIDS if an antibody test were positive (like tuberculosis, for example) is a case of AIDS without HIV. The CDC acknowledges only 100 or so cases because it employs a much narrower definition of "AIDS" when HIV is not present than when it is, and it then dismisses the remaining cases because they "differ epidemiologically" from AIDS—meaning apparently that they are not linked to HIV! That the CDC does not understand the need to define the syndrome independently of the hypothesized cause is further evidence that their experts never did the epidemiological work impartially in the first place.

That brings us to the San Francisco study defended by Warren Winkelstein, which supports a correlation between AIDS-defining diseases and HIV, but not drugs, in a population of San Francisco men. Tom Bethell's letter points out that this study was vigorously criticized at the AAAS meeting in San Francisco in June. We are prepared to pursue this criticism in an appropriate scientific forum. For present purposes, readers need to understand primarily that Winkelstein and Michael Fumento are misrepresenting the scientific method. Epidemiology (i.e., correlation) is a useful tool for identifying a possible causative agent, and especially for rejecting impossible ones, but to prove cause on this basis alone is unwarranted. Fumento's example of yellow fever is instructive. Walter Reed's mosquito hypothesis was confirmed by his success in eliminating the disease. HIV causation

could be confirmed by similar success, or by a demonstration of the mechanism of causation, or by meeting Koch's postulates, the traditional rules for confirming a causation hypothesis. If the mosquito hypothesis had produced no results after 10 years of trying, Walter Reed would no doubt have been wise enough to consider other possibilities.

There are three reasons for using correlation as an indicator rather than as sufficient proof of causation in itself. First, even if the putative cause (HIV) is highly correlated with the syndrome (one or more of 30 AIDS-defining diseases), correlation studies cannot tell us whether or not the true cause is a third factor or combination of factors which is correlated with HIV. Gay men in San Francisco who are HIV positive, for example, are also likely to have a lot else in common. The correlation would be much more convincing if it were equally strong in all populations, which is why we recommend strictly controlled studies in all the risk groups, and especially in Africa.

Second, it is naive to present HIV correlation studies as if they were naked data lying around for some unbiased scientist to interpret. The HIV hypothesis was fixed in concrete as "scientific fact" by Dr. Gallo's 1984 press conference, and the studies that followed, including the Winkelstein and Schechter studies, were performed by researchers who never questioned the ruling paradigm and would have lost their grants if they had. A multi-billion-dollar research industry will always be able to produce studies by true believers that support its position; the amazing thing is that the HIV industry has to rely so heavily upon two studies of North American men's groups.

To bring up the reality of bias is not to question the integrity of any individual scientist. It is merely to point out that the reason "double blind" studies are essential in medicine is that even the best doctors tend to see what they expect to see—and systematically fail to see what they do not want to see. When we learn that the NIH and CDC's epidemiologists saw nothing wrong with using a biased definition of AIDS (diseases plus real or suspected HIV) in conducting the studies that supposedly established the correlation, we are on notice to be skeptical of everything they say.

Third, AIDS as officially defined is a complex syndrome defined differently on different continents, and manifesting different disease symptoms in different risk groups. The point is not merely whether HIV causes *something*, or even something serious. It does seem to cause flu symptoms in some persons during the initial infection, when it is multiplying freely in the blood stream and is easy to find. A positive reaction on antibody tests does seem highly correlated in certain populations of gay men with some of the diseases grouped together as "AIDS." This kind of information may have been sufficient to identify HIV as a suspect, but it is not sufficient to justify disregarding everything else we have learned that puts the HIV theory in doubt. HIV clearly is *not* the sole or primary cause of KS, despite the status of KS as one of the most important AIDS-defining diseases. There is ample reason to question whether HIV infection causes a spectrum of 30 or so diseases many years later by a mechanism that no one can determine when it often can hardly be found at all. It is highly unlikely that the same virus causes some diseases mainly in men in North America, and different diseases in men and women equally elsewhere. An epidemiological study of a group of San Francisco (or Vancouver) men is inherently incapable of validating a theory that encompasses so many contradictions and anomalies.

We do not necessarily dispute Winkelstein's conclusion that, at least in certain populations, "Regardless of whether or not HIV infection causes AIDS, it is a strong predictor of premature death." Persons who are sick from a lot of different things tend to have a lot of different things in their bloodstream, and some of these cause positive reactions on HIV antibody tests. Our skepticism about the HIV hypothesis should not encourage anyone to engage in risky behavior. We mainly agree with the HIV doctors about prudent health rules, except insofar as they would tell people that they may use poppers and similar recreational drugs without fear of damage to their immune systems.

We would merely add that prudent people should especially avoid poisons like AZT and related drugs, which destroy immune system cells and other cells and provide no demonstrable benefit. They should rise up in outrage against dogmatists who want to administer AZT to pregnant women and infants when no adequately controlled studies have been performed to justify this reckless medical practice. They should start questioning loosely supported claims about the spread of HIV in Asia and Africa, and they should demand that impartial, controlled studies be performed to determine what is really going on.

Fumento to the contrary notwithstanding, we do not urge anyone to "forget" any studies or to ignore any evidence. Our point is that the rethinking of HIV science that the top NIH officials admit is necessary is meaningless unless they also reconsider the basic diagnosis. Our research program is simple: Perform the unbiased, carefully controlled epidemiological studies in all risk groups that should have been done in the first place. Employ an unbiased definition of AIDS. Don't assume the HIV hypothesis and defend it with ad hoc arguments and fudge factors; test its various claims impartially. Why is this scientific common sense resisted so bitterly?

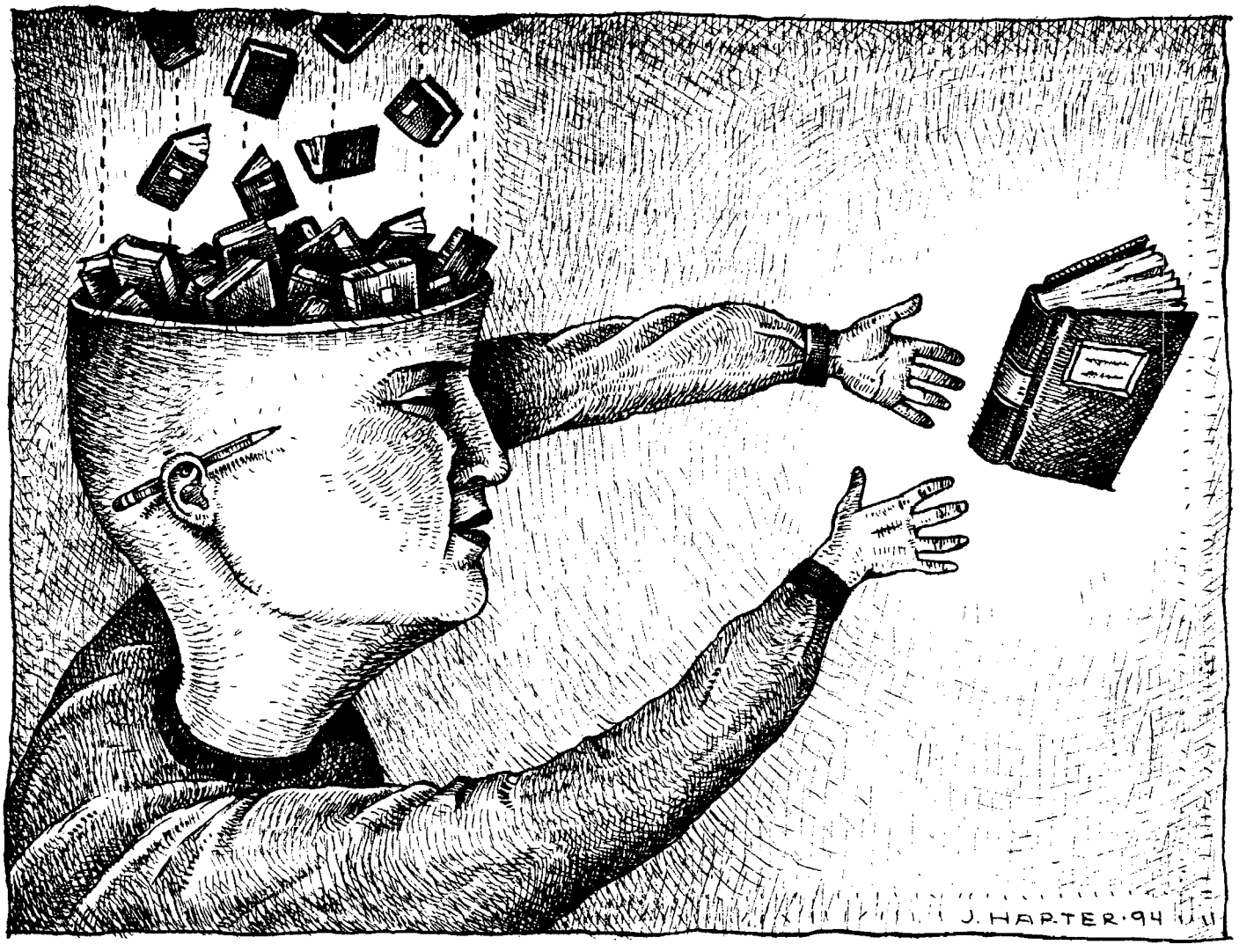
It was not unreasonable for the molecular biologists and the epidemiologists to consider HIV a suspect back in 1984. They all assumed that Dr. Gallo had caught HIV in the act of destroying the immune system, and a high percentage of the cases under study did have something in their blood that reacted positively to the antibody tests. But a lot has changed since 1984.

It turns out that HIV isn't really doing anything observable to the immune system, that predictions based on the HIV theory are continually being falsified, that the HIV stalwarts rely more and more on the least reliable statistics, that the antibody tests aren't reliable indicators of HIV activity in the bloodstream, and that even researchers dedicated to proving a perfect correlation between HIV and AIDS have to admit to a lot of nonconforming examples.

Ten years after 1984, the question is whether a biomedical research establishment that jumped prematurely to a conclusion wants to re-examine that conclusion by proper scientific methods and learn the truth, or whether it would prefer to keep its mistakes hidden as long as possible. ®

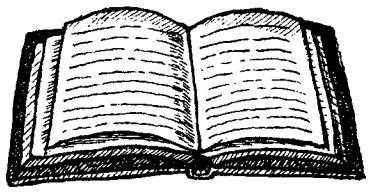
Special Book Section

Extracurricular Reading



The college curriculum has been a matter of great controversy for the past several years. But much undergraduate learning takes place outside of class and beyond the confines of formal reading lists. Taking advantage of this phenomenon, REASON asked a number of scholars, mostly university professors, to recommend works that students are not likely to encounter on the typical college syllabi but that they would suggest to a curious undergraduate. We limited each contributor to a single book but, as you'll see, some managed to cheat.

Gregory Benford



Most important, a book should hold your interest. Uplifting tomes left unread help no one. For pure intellectual fun, I salute Michael Hart's *The One Hundred: A Ranking of the Most Influential Persons in History.* Like peanuts, it's hard to nibble on just one entry in this 570-page book.

Most undergraduates emerge from universities agreeing with Henry Ford, that history is bunk. This book can correct that, ladling in fascinating detail that makes the past seem real and relevant.

Hart plays around the usual dates-and-wars approach, avoids the social-movement models, and for his underlying drivers stresses two great currents in human endeavor: science/technology and religion. These, he argues in case after case, propelled humanity from hunter-gatherers to lords of the planet, for better and for worse.

When I bought the first hardcover edition in 1978 (a second, updated edition is now in trade paperback), I thought that in his list of those who have most moved humanity, surely I would know the top 10. I missed one, and no one I know has recognized his entry number 7: Ts'ai Lun, the inventor of paper. Yet Hart's case is compelling. This obscure Chinese eunuch devised paper in 105 A.D., and the Han dynasty kept the technique secret until 751, when Arabs tortured the trick out of Chinese craftsmen.

Paper was never separately invented, even though its existence was known for centuries. Hart argues cogently that China's rise to cultural superiority over the West for a thousand years in large measure arose from the organizing utility of readily available paper. Only when Johann Gutenberg (entry number 8) devised the printing press did the West redress the balance and draw ahead of China.

Hart's Top Ten balances science/technology with religion, beginning with Muhammad (because he both founded and spread a major religion), then in order, Newton, Christ, Buddha, Confucius, St. Paul, Ts'ai Lun, Gutenberg, Columbus, and Einstein. My only major difference with Hart's choices is that I believe Euclid, the sole figure who put mathematical thinking on an orderly basis, has been more influential than Einstein.

Necessarily, Hart has to guess at the long-range influence of those born in the last few centuries, but still, engaging patterns emerge. An unusually large number of major figures flourished between the sixth and third centuries B.C. From the 15th century on, each century supplies more names.

Natives of the British Isles turn up often, with Scots the true standouts. Hart argues cogently that scientists and inventors (37 entries) exercise more sway over later lives than politicians and generals (30 entries). Nineteen of the hundred never married, and 26 had no known children, with both these groups concentrated near the top of the list. Maybe family life gets in the way of greatness? Hart estimates that about half of the list have no living descendants. Seven were illiterate, principally military leaders. Oddly, at least 10 suffered from gout, a fact of interest in medical research.

The book abounds in insights, points worth arguing, quirks of history. It makes the past a living landscape, and as Hart hopes, does indeed "open, as it did for me, a new perspective on history."

Gregory Benford is a professor of physics at the University of California, Irvine and the author of Timescape.

Stephen Cox

Students who are trying to make sense out of history will probably not derive much help from the versions of historical theory that they encounter in the classroom. They will be especially disappointed if they want to understand the wonderful coincidence embodied in the progress of capitalist societies—the simultaneous expansion of personal liberty and material prosperity.

The historical theories that are normally embalmed in college syllabi won't come close to explaining how this happened. Some of them deny that there is such a thing as "progress" in the first place. Others view material progress as an effect of purely material forces, a kind of self-generating machine that periodically emits, as a byproduct, certain sentimental notions about the importance of individuals and individual liberty.

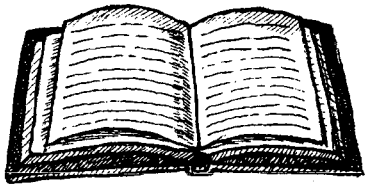
The conclusive refutation of all this nonsense can be found in Isabel Paterson's *The God of the Machine* (Transaction Publishers). Paterson demonstrates the dependence of economic forces on ideas, which are the products of individual minds; and she shows that the key to material progress is the discovery of social and political mechanisms that allow individuals to think and act freely. If modern civilization can be likened to a machine, then the creative mind is its dynamo; its circuits of energy are maintained by capitalist institutions; and its improvement results from a gradually increasing understanding of the "engineering principles" of a free society. "These are not sentimental considerations," Paterson says. "They constitute the mechanism of production and therefore of power."

Paterson traces the history of the engineering principles from Greek science and Roman law to the system of limited government created by the founders of the American republic. She then describes the subversion of that system by collectivist ideas and practices. She presents a withering analysis of the managed economy, public education, state-sponsored "security" schemes, and the supposedly humanitarian impulses that lead people to favor the welfare state.

When *The God of the Machine* was published in 1943, it was shockingly unfashionable. "Fit audience, though few": The general public was not attracted, but Paterson was admired by such fellow iconoclasts as Ayn Rand, Albert Jay Nock, and Russell Kirk. *The God of the Machine* remains a classic of individualist thought. But it is not a pale historical artifact, locked in its time

JEFFERY B. HARTER

of origin. It is focused on the great continuing issues of civilization, which it confronts with the authority of Paterson's special character and experience.



Brought up in poverty on the Western frontier, educated by herself and educated superbly, Paterson became an important novelist and literary critic. She did not merely preach individualism; she lived life as an individualist. And she was not merely a theorist; she had the creative imagination that brings theory to life and challenges the imaginations of others. There was nobody quite like Isabel Paterson, and there is nothing quite like *The God of the Machine.*

Stephen Cox is professor of literature at the University of California, San Diego.

William C. Dennis

Among the intellectual openings to the further expansion of socialism that will plague the early 21st century, three appear to me to be particularly troubling: the question of race, the yearning for equality, and the worry over environmental degradation. Thus the friend of liberty will need to do some reading in all three of these areas if he is to be an able advocate of human freedom. On equality, one might first turn to the writings of the late Aaron Wildavsky, particularly his *The Rise of Radical Egalitarianism,* (1991); the Heartland Institute's recent *Ecosanity* (1994) would be one good place to start thinking about the environment for liberty.

But on the question of race, the premier scholar of good sense is Thomas Sowell, senior fellow at the Hoover Institution. To his *Race and Economics* (1975), *Markets and Minorities* (1981), and *Ethnic America* (1981), among others, Professor Sowell has added this year *Race and Culture: A World View* (Basic Books). In these books. Sowell deals with how culture and background influence the statistical outcome of group behavior. He does this not to denigrate the role of individual effort in life achievements but to show how different starting points, values, customs, attitudes, and beliefs are bound to make a difference in how persons in a particular ethnic or religious group turn out.

Starting points matter. They do not determine, but they do influence. How could things be any other way? Nor would we want them to be, for otherwise the wonderful variety of humanity would be reduced to some colorless norm. Therefore, Sowell argues, if one bases governmental policies on statistical "disparities" of group outcomes, he will, perforce, ignore culture, history, choice, and preference as he tries to wrench the lives of real people into patterns more closely aligned to his theories of how things ideally should be.

Yet this is not a book where Sowell imposes some end state view of his own to substitute for those of the coercive utopians. Rather this is a work that might be subtitled, "On How to Begin Thinking About Race." Full of interesting examples of group differences throughout history and around the globe, Sowell's book has thoughtful discussions of paternalism, slavery, migration and conquest, discrimination and segregation, the counterintuitive and unintended consequences of government planning, the question of racial reparations, and the idea of social justice, among other topics.

Sowell's chapter on race and intelligence is one of his best—undogmatic and sensible throughout. Even to discuss such questions as these frankly would keep this book off most college syllabi, but the implications of Sowell's study for current policy are so "politically incorrect" that I would not be surprised to hear of a book burning on one of our campuses this autumn. Come to think of it, this book has a lot to say about the problems of equality and of the best environment for humanity, as well.

William C. Dennis is a senior program officer at Liberty Fund Inc., in Indianapolis.

Thomas W. Hazlett

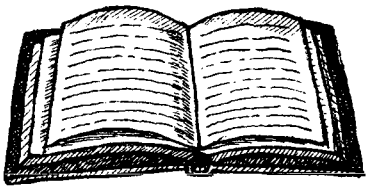
I once heard a very important second-year assistant professor in economics pronounce harsh verdict upon Thomas Sowell's *Knowledge and Decisions* (Basic Books, 1980). "The book has nothing that's really new," he declared. "The entire 400 pages is little more than an application of the basic model."

How right he was. And how wrong. For the colossal achievement of Sowell's masterpiece is that it extends the essential logic of microeconomic analysis—and that's nothing new—into the very far reaches of modern life. That is. Organized not in the manner of an economics text but as a classic social science reference work, the book repeatedly busts out of the narrow confines of pure theory.

For instance, in Part I, devoted to Social Institutions, Sowell divvies up his subject matter into Economic Trade-Offs, Social Trade-Offs, and Political Trade-Offs. In Part II, Trends and Issues, he categorizes his topics as Historical Trends, Trends in Economics, Trends in Law, and Trends in Politics. The book's title exemplifies its purpose: to show how people use their brains to make choices. That is the classic inquiry of economic analysis, often lost over the past two centuries in the relentless march of formalism. This book puts meat back on the bones of a war-weary *homo economicus.*

Sowell manages to squeeze out the jargon in marvelous fashion—*ceteris paribus.* He craftily replaces the obtuse "marginal analysis" with the paradigm of "incremental vs. categorical thinking." Categorical thinking is exemplified by such economic illogic as that employed by the jury that went lightly on a rapist because his victim offered him a condom. Incremental thinking focuses more clearly on the issue at hand: Given that one finds oneself in an injurious situation, it is intelligent to mitigate

damage. Rational action to limit damages is hardly to condone the perpetration of a felony. The analytical result of this sort of clear-headedness is that the reader is painlessly processed through the economist's workshop. And thanks mainly to Sowell's relentless pursuit of institutional detail, the excursion turns out exotic.



On social issues, Sowell bravely travels where few economists dare to explore, and charts the incremental gains and losses from various sorts of personal relationships. Sowell's pathbreaking work in the economics of ethnic rivalry give him a wealth of fascinating material to drop on the reader regarding racial and gender matters. The means by which discrimination works—and by which it fails—is especially intriguing.

But do not be surprised that topics such as discrimination and affirmative action are not the primary focus of this book; they simply provide a rich contextual reality for the larger framework of "incremental thinking." Indeed, the author spends perhaps more time on details of the camera market than on race, as he is an ardent photography buff.

On page 339, Dr. Sowell offers an observation that both demonstrates his mode of analysis and casts light upon the issue at hand—at least to many striving academics: "An intellectual is rewarded not so much for reaching the truth as for demonstrating his own mental ability. Recourse to well-established and widely accepted ideas will never demonstrate the mental ability of the intellectual, however valid its application to a particular question or issue. The intellectual's virtuosity is shown by recourse to the new, the esoteric, and if possible his own originality in concept or application—whether or not its conclusions are more or less valid than the received wisdom. Intellectuals have an incentive 'to study more the reputation of their own wit than the success of another's business,' as Hobbes observed more than three centuries ago."

In truth, Thomas Sowell does little more than bring Adam Smith's "invisible hand" up to the late 20th century—with metaphors in technicolor. Nothing particularly "elegant" or "rigorous" or "interesting" about that. Except to the human race.

Contributing Editor Thomas W. Hazlett teaches economics and public policy at the University of California, Davis.

Loren E. Lomasky

We are a species of busybodies, and no lesson is harder to learn—and more in need of frequent relearning—than forbearance. For most of us meddling comes all too naturally. Whether prompted by the love of virtue or abhorrence of vice, by outpourings of benevolence or stern imperatives of rectitude, we continually find ourselves impelled to extend our noses until they are firmly implanted in the business of others. In part we do so because to butt in is exquisitely pleasant. That, though, is only half of the story. Pleasures, even addictive ones, can be resisted. But when to the joys of intrusiveness is added the conviction that one is simply doing one's duty, the siren's call becomes well-nigh irresistible. That is why leaving other people alone is so terribly hard.

It is to the credit of the liberal philosophical tradition that its theorists have struggled heroically to set up sturdy bulwarks against this predilection. John Locke's *Second Treatise on Government*, J. S. Mill's *On Liberty*, and Immanuel Kant's *Theory of Right* develop conceptions of human beings as self-determiners thereby entitled to a domain of action within which they are not subject to interference. These and other philosophical classics must be part of our hypothetical student's curriculum. But alongside them ought to be a copy, a well-thumbed copy at that, of *Miss Manners' Guide to Excruciatingly Correct Behavior.*

"An etiquette book?" some will ask. "Is it really necessary for someone to know which fork to use with Belgian endive or how to address the Duchess of Kent at the Wimbledon reception?" No, of course not; though such tidbits of knowledge certainly don't hurt and may be no less illuminating than numerous others that could be culled from our scholar's social science textbooks. It is not merely disjoint instructions for performance that are to be gleaned from Miss Manners but rather an ethos.

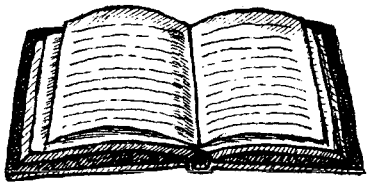
Think of people as millions of vehicles whizzing along the superhighways, back roads, and interchanges of life. They set their courses independently and travel at different speeds. Sometimes they collide, and then carnage ensues. Last-second application of anti-lock disc brakes can avert some crashes, and when cars do collide, airbag deployment reduces injury. These devices are like moral codes and legal institutions, kicking in when collision appears imminent or has already occurred.

But skilled motoring features little reliance on brakes and none at all on airbags. One avoids the necessity of their use through taking prudent precautions: keeping a safe distance, staying in one's own lane, signaling intentions clearly. That is precisely the function of etiquette.

It is not a labyrinthine ritual of studied ostentation nor a mechanism of social dominance brought to class, race, or gender warfare, although etiquette can be misapplied in these ways. Rather, good manners are a means by which people preserve necessary distance between each other. They are how we send out signals that keep one person from veering suddenly into the path of someone else. Manners are not a substitute for moral imperatives or legal restraints any more than a course in defensive driving substitutes for having well-maintained brakes on one's car. Rather, etiquette complements morals and law. Each is an indispensable ingredient of civility.

Miss Manners (also known as Judith Martin) demonstrates for hundreds of life's mundane occasions how proper attentiveness to the principles of etiquette enables individuals to pursue their plans and projects while minimizing incursions on the interests

of others. Rudeness, she insists, is not excusable even when—or perhaps especially when—it is prompted by allegedly higher motives. So, for example, the incontrovertible value of sincerity does not excuse one's failure politely to inquire, "How do you do?" when one is utterly uninterested in the content of the answer. Nor may one invoke honesty as a justification for responding to that question with a litany of one's current and prospective woes.



Please, no disapproving accusations of hypocrisy: This is not to announce an endorsement by etiquette of insincerity or dishonesty. Rather, the little ritual in which we engage when we meet is a wonderfully efficient formalism through which we acknowledge our interlocutor's status as a person deserving of solicitude and respect; that acknowledgment is duly reciprocated by a display of dignified restraint.

Of rules of etiquette there is no end, and Miss Manners seemingly knows them all. So too, no doubt, do dozens of dreary chiefs of protocol. But Miss Manners is no pedant; she is a sage; moreover, a sage who writes like a demon. That is why she amply merits her place on our student's reading list. And since academics can't resist piling footnote upon footnote, I hasten to add that should there be in the audience any postgraduates on the verge of establishing their own domestic nests, to you I commend as follow-up reading *Miss Manners' Guide to Rearing Perfect Children.*

Contributing Editor Loren E. Lomasky is a professor of philosophy at Bowling Green State University.

Mark O. Martin

"Every great advance in science has issued from a new audacity of imagination," wrote John Dewey. A lovely phrase, but one that hardly reflects the image of the scientist encountered by the public. This is a shame, since the practice of science has transformed both the nature of our world and how we perceive our place in it.

Yet science and scientists are repeatedly portrayed by the popular media in an unflattering and inaccurate light, as dinosaur-cloning profit mongers or monomaniacal and bespectacled superbomb designers. As I am a bespectacled microbiologist, this imagery concerns me a bit.

I know a number of scientists, and while there are those with more than a healthy dose of ego, the vast majority are nothing like the two-dimensional shadows created by Michael Crichton and Steven Spielberg. Still, media images are powerful and pervasive. How could anyone honestly expect the general educated public to know better?

There is a solution: the award-winning novel *Timescape* by Gregory Benford.

Fictional depictions of scientists have usually been unrealistic, to say the least. Overly heroic attempts (*Arrowsmith* by Sinclair Lewis) are stacked against an almost rock-star focus on the pursuit of recognition (*The Double Helix* by James Watson).

Benford's novel bridges this gap in a balanced manner which is at once literate, accurate, and moving; it lacks the stereotypes of 1950s Giant Ant movies and our present media-powered fascination with the toppling of ethical standards. *Timescape* is a novel about interesting and intriguing people who happen to be scientists.

It takes place in two segments of time: an ecologically threatened 1998 and the more innocent world of 1962. A British scientist, as the millennium slouches toward a darker Bethlehem, has developed a technique to communicate a warning to the past. The enigmatic message from the future is received by a new professor (seeking tenure) at a California university in the fresh and optimistic days of JFK's version of Camelot.

Two world views collide in a spectacular fashion: Will the warning from the future be received, and understood? The concept of causality—the connections between past and future—shines brightly in Benford's prose, which is both clear and scientifically accurate.

More to the point, the scientists themselves come alive as people, not calculator-wielding plot devices. The triumvirate of scientific "types" (Theorist, Experimentalist, and Bureaucrat) reveal themselves in both 1962 and 1998. Their interactions remain fresh and vital, and uncomfortably familiar to anyone conversant with the true world of science.

When friends ask me what it is like to "do" science for a living, this is the book I hand them. We do not clone dinosaurs, nor release designer plagues into the world for profit. Benford's novel shows scientists realistically: men and women who work, love, and learn as their lives unfold.

Timescape can act as a conduit between C. P. Snow's two cultures, allowing the English major to appreciate that scientists are little different from other people who love their work. It is, perhaps, the antidote for the Creeping Crichtonism shouting from the many throats of the media today.

Mark O. Martin is an assistant professor of biology at Occidental College.

Donald N. McCloskey

Someone here will mention Milton and Rose Friedman's *Free to Choose* (1979), and I concur, adding only Wicksteed, Bastiat, and Adam Smith. Fine books, and seldom seen on college reading lists.

The problem, however, is that doctrine and counterdoctrine are not going to work with the audience we have in mind. We the middle-aged want to save the young the trouble, indoctrinating them with conveniently brief pamphlets about health reform or

the crime bill. But the indoctrination hasn't worked in the college classroom. It's not going to work in the Offlist List, either.

Better reach for their culture. That's why Ayn Rand continues to sell. Ditto science fiction of a libertarian sort. Storytelling and symbol-making think for us. We do not speak the language, said Coleridge: the language speaks us. Some rock music attacks collectivism, as it certainly did once in Eastern Europe. Movies about the modern state, such as *In the Name of the Father*, are more educational than any number of essays about liberty under socialism.

I can't tell you about rock music or television, though not because I believe that print available in 1940 is all one needs of culture or that the American mind has closed since I was a lad. It's merely that I stopped listening to rock music in 1959 and am ill-equipped to analyze the politics of *The Brady Bunch*. I leave that side to younger people, as in the new magazine of cultural libertarianism, *The Exchange*.

My side is old-fashioned and literary. Like the kids, though, I'm looking for sensibilities with no whiff of Lenin, Mussolini, Bertrand Russell, or the Bauhaus. The worst in 20th-century culture comes from the mixture of Science and Romance concocted by intellectuals in the 19th century. The best looks like Swift, Voltaire, Hume, Smith.

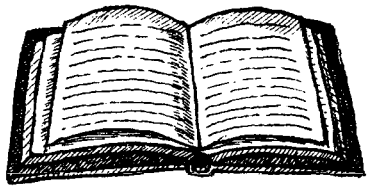
So give the students anything by Borges, such as *Labyrinths* (1969), or his luminous poetry, *Selected Poems, 1923–1967* (1972, with the Spanish on one side and translations by English-language poets on the other). Or anything by Mencken, such as the old *Vintage Mencken* edited by Alistair Cooke in 1955, or his autobiographies. Or anything by Eric Hoffer (surprisingly little is in print).

The deep literary thinkers at *The New York Times* to the contrary, there are numerous English professors who have the sensibility I'm looking for, whatever the details of their politics. An example is the late Northrop Frye, as in *The Educated Imagination* (1964), the text of a series of Canadian radio talks. Another is Wayne Booth, as in *Now Don't Try to Reason with Me* (1970). Or Paul Fussell, in *Thank God for the Atomic Bomb, and other Essays* (1988).

Joseph Epstein and the magazine he edits, *The American Scholar*, convey the 18th-century, unromantic, ironical, satirical, individualistic, hardminded yet courteous tone I have in mind. It spreads with bourgeois virtue. I'm hoping it will make the next century less of a slaughterhouse than the one we have just been through.

One book? All right, I'll cheat. No one can browse the four volumes of George Orwell's *The Collected Essays, Journalism and Letters* (1971) and still celebrate the ideologies of the 20th century. Put it on The Offlist. Put it on The List.

Contributing Editor Donald N. McCloskey's latest book is Knowledge and Persuasion in Economics *(Cambridge).*



Richard Mitchell

Welcome to college. Be careful. In these days, when most of the preachers have lost their clout with intellectuals, one of which you are about to become, our professors, like our politicians, have taken over the preaching, laboring mightily to foster true belief in notions defensible by faith alone. Nietzsche predicted it long ago. Don't worry. You can still be free, still get educated, nourished, and made even better than you are.

To do that, though, you may have to read even more than is assigned. Look around for authors who have been dead for a long time. Your advantage in reading the dead lies in this: They too may have had axes to grind, but nobody swings those axes anymore, so it is easier to find in them some ideas that might be continually true and useful even when the agendas they might have had for their readers are as dead as they are.

Here's a case in point. Lucius Apuleius, who died about 1,800 years ago, was an unreconstructed Roman, who became an initiate of the cult of Isis, a weird sort of mystery religion which, like the more famous Mysteries at Eleusis, had no creeds, no scriptures, and no clergy. Nevertheless, from lots of contemporary evidence, such mystery religions seem to have made people happy and decent. How they did it, we don't know; the initiates were sworn to secrecy, and none of them seem to have blabbed.

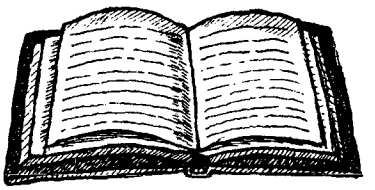
Except, maybe, for Lucius Apuleius. He wrote a rowdy, raunchy novel now called *The Golden Ass*. It's about a bright, handsome young man, maybe much like you, setting out to make something of himself. But, alas, through some indiscretions of a delicate nature, he finds himself transformed into a jackass, and, even worse, stolen by a band of robbers who use him as a pack animal. His adventures are various and entertaining, but still not to his liking. He would still rather be a man.

In the middle of the book, he is in a cave with two women, one an old crone cooking up some chicken soup for the other, a blushing young bride kidnapped at her wedding and being held for ransom. To comfort the girl, the old woman tells a story, a perfectly beautiful and wonderful story, which very possibly a man is not supposed to hear. But, of course, there's no man there, just this jackass. But the story sets the hero on the road to becoming a man again.

Young men will find this book valuable. They will, like all men, have to escape jackasserie again and again. Young women will find this book valuable. They will probably understand the story told in the cave, and even see the importance of letting a jackass overhear it once in a while. And no one at all is in any danger of being gulled into the cult of Isis. A very good book.

Richard Mitchell, who was the publisher of The Underground Grammarian, *is the author of several books, including* The Graves of Academe *(Little, Brown) and* The Gift of Fire *(Simon & Schuster).*

Ethan A. Nadelmann



Psychoactive drugs are not easily understood in American society today. Most Americans mistakenly assume that alcohol and tobacco are safer than most illicit drugs. Cocaine and heroin are blamed for many social problems, with little regard for the ways in which drug prohibition makes drugs even more dangerous than they need to be. All sorts of myths are associated with psychedelic drugs like LSD, mescaline, and psilocybic mushrooms.

Andrew Weil has long been a brilliant analyst of psychoactive drug use around the world. His first book, *The Natural Mind* (Houghton Mifflin, 1972, 1986), explained drug use in terms of a near-universal human desire to alter one's state of consciousness. A second book, *The Marriage of the Sun and Moon* (Houghton Mifflin, 1980), examined the diverse ways in which people around the world alter their consciousness—from peyote-based religious ceremonies to eating hot peppers, sitting in sweat lodges, munching on fresh mangoes and experiencing lunar eclipses. *From Chocolate to Morphine: Everything You Need to Know About Mind-Altering Drugs* (Houghton Mifflin, 1983), written with Winifred Rosen, completes his trilogy on drugs and drug use, providing a valuable antidote to foolish thinking about drugs.

Designed as a drug education book for both young people and adults, *From Chocolate to Morphine* is remarkably well written and accessible. Weil and Rosen make clear from the start that the best way to avoid problems with drugs is never to use them in the first place. But they also know that virtually all of us are likely to use psychoactive drugs in one form or another, even if we restrict our consumption to those that are legal.

Weil and Rosen describe what drugs are, where they come from, and what their effects are likely to be. They provide guidance as to which drugs and means of consumption are safer or more dangerous. They suggest how to recognize the point at which drug use becomes habitual or otherwise dangerous. And they emphasize that human beings, not drugs, are ultimately responsible for the relationship between the two.

There is no question that drug policy in the United States would improve dramatically if policy makers properly digested this text. No other domain of policy affords public speakers such latitude in substituting distortions, lies, and ignorant beliefs for well-established truths backed by historical and scientific evidence. As enthusiasm for the "war on drugs" fades, there is reason to hope that public discourse and policy increasingly will be shaped by scientific evidence and common sense. *From Chocolate to Morphine* should be priority reading for anyone who uses drugs, wants to use drugs, wants to know about other people who use drugs, just wants to learn about drugs, or wants to shape policy on drugs.

Ethan A. Nadelmann is director of the Lindesmith Center in New York City.

Steven R. Postrel

Choosing books for others, especially young people, always brings out the pomposity in an intellectual—if you read this, You Will Be a Better Person, goes the subtext. In that vein, I considered recommending Thucydides' *The Peloponnesian War* for its unparalleled description of civic virtue and vice and for the pity and terror it evokes at the grim realities of power politics and total war. *The Apocalyptics* by Edith Efron, which is the best antidote to Rachel Carson and the popular hysteria over cancer from industrial chemicals, almost got the nod as well.

Instead, I chose a book that I can honestly say might make the reader a better person—Vladimir Bukovsky's *To Build a Castle: My Life as a Dissenter.* First published in English in 1978, it is the gripping story of a man whose thirst for liberty and sense of integrity were so strong that he could not submit to the will of the Communist Party, even when his defiance brought down upon him the entire repression apparatus of the Soviet state.

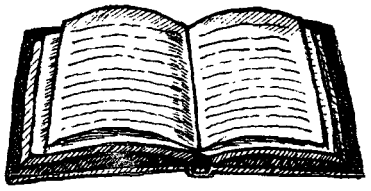
When imprisonment in the gulag wasn't sufficient to break his spirit (and his survival techniques are fascinating), Bukovsky was declared insane and placed in a mental hospital to be cured of his anti-communist delusions. Even there, surrounded by truly demented psychotics and threatened with horrifying drug treatments and physical torture, he managed to resist—smuggling out his medical records for independent evaluation by Western psychiatrists, exposing the fraud of Soviet psychiatry to the world at large, and becoming an internationally known prisoner of conscience whose fame intimidated the authorities.

Bukovsky's memoir offers the contemporary American college student many valuable things. It demonstrates the meaning of political courage in the most direct way and shows that flinty toughness rather than squishy compassion is the key to resisting oppression. It explodes the idea that propaganda and re-education can reshape human nature, undermining the fashionable notion that our ideas are determined by the oppressive power of "privileged" texts. It brings back to fresh, vivid life the meaning of individual rights, such as freedom of speech and due process of law, whose perceived importance has been dulled by ritualistic invocation.

Battles over political correctness at universities take on clearer perspective after reading Bukovsky's accounts of his "crimes," their adjudication, and their punishment. On the one hand, the self-correction sessions, guilt by ideological accusation, and illogical charges are eerily familiar; on the other hand, the punishments meted out to campus dissidents today seem paltry in comparison to the kind of thing Bukovsky and his fellows took for granted.

Perhaps the most valuable commodity *To Build a Castle* provides today's campuses is its exploration of the fundamental evil of Soviet communism, now in the process of being forgotten or trivialized. Bukovsky ties that evil directly to the professed ideals of the regime: "You have to understand that without the

use of force it is realistic to create a theoretical equality of opportunity, but not equality of results. People attain absolute equality only in the graveyard, and if you want to turn your country into a giant graveyard, go ahead, join the socialists." Now there's a statement just perfect for use in your sociology class.



Steven R. Postrel teaches management strategy at the University of California, Irvine.

Paul A. Rahe

There was a time, not so long ago, when the study of war, politics, and power was thought to be part and parcel of an undergraduate education. In the course of the last four decades, this has ceased to be the case. Except at a handful of institutions, such as Ohio State University and Yale, military history has been abandoned. Within today's academy, the practitioners of this dying art are shunned as pariahs, for it is assumed that no one would devote a career to the study of armed conflict who is not somehow morally deranged. Programs in peace studies and in conflict resolution abound; rarely does anyone face up to the fact that conflicts quite often get resolved, and peace achieved, through the successful conduct of war.

One consequence of the reigning academic pieties is that in college one is far more likely to encounter an offering in the history of women's fashion than to have the opportunity to study Napoleon's campaigns. This is not because of a lack of demand. Books in military history have always sold well and still do; undergraduates are quick to enroll in courses dealing with politics and war when given the chance. Red-blooded they always were, and red-blooded they remain. Therein lies hope.

Ten years ago, the obvious place to begin would have been Thucydides' account of the Peloponnesian War. Nowhere can one find a subtler depiction of the moral and practical dilemmas faced by the statesman in a world torn by conflict. Moreover, Thucydides'environment was bipolar—as was ours in the great epoch of struggles on the European continent that stretched from 1914 to 1989—and Thucydides' war pitted a maritime power, such as we were, against a power, such as Germany or the Soviet Union, threatening dominance on land. But the two great world wars are now long gone; the Cold War has come to an end; and we no longer find ourselves hovering on the verge of conflict with a single foe.

Our situation more closely resembles the plight of the late Victorians than that of Pericles, Archidamus, Alcibiades, and Lysander; and while we still have much to learn from Thucydides, there is something to be said for asking contemporary students to read Winston Churchill's lively accounts of the dirty little wars that his countrymen had to fight at the end of the last century in defense of their empire and their way of life.

Unfortunately, the best of these—*The River War: An Historical Account of the Reconquest of the Soudan* (London: Longmans, Green, and Co., 1899)—was never reprinted in its original, two-volume edition. Those in search of instruction will have to turn to the library or even to interlibrary loan. The rewards will amply repay the effort of acquisition, for the reader will have no difficulty in understanding why Churchill was eventually awarded the Nobel Prize for literature.

Churchill's great, neglected work is, like Thucydides' history, a prose epic. His subjects—the Nile and its peoples; the conflict between Islam and modernity; the origins, character, and course of the Mahdist revolt against Egyptian rule within the Sudan; the resistance mounted by General Gordon at Khartoum; the fecklessness of Gladstone's Liberal administration; and the campaign of reconquest ultimately mounted on behalf of Egypt and Britain by Sir Herbert Kitchener—offered him the same sort of canvas available to Thucydides, and he took the endeavor as an occasion for reflection on the moral responsibilities attendant upon great power and as an opportunity to explore the relationships between civilization and decadence, between barbarism and courage, and between modern science and the changing character of war.

In an age when Americans are likely to be called on to respond to ugly little conflicts marked by social, sectarian, and tribal rivalries in odd corners of the world—the Arabian peninsula, the Caucasus, the Horn of Africa, the Balkans, Central Africa, the Maghreb, and the Caribbean, to mention the most recent examples—I can think of no other historical work that better deserves our attention.

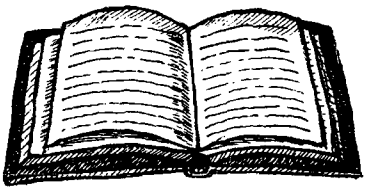
Paul A. Rahe chairs the department of history at the University of Tulsa. His book Republics Ancient and Modern: Classical Republicanism and the American Revolution *was reissued in August by the University of North Carolina Press in a three-volume paperback edition.*

John Shelton Reed

Maybe it's not helpful to start by questioning this assignment's premise, but in fact I'm not sure there any longer are such things as "typical college syllabi," at least in the humanities and social sciences. With a few honorable exceptions, college faculties have exploited the elective system to make an implicit pact with our students: We don't require them to read anything in particular, and we get to teach whatever we want. The upshot of this cheerful permissiveness is that there's almost nothing except maybe *The Color Purple* that all students have read, and almost nothing—Zane Grey's novels, Turkish cookbooks, the opinions of Justice Brennan—that one can't imagine being assigned by some professors, somewhere.

Notice I said "almost nothing." We do have our orthodoxies,

and it's tempting to suggest books just because they're offensive to received collegiate opinion: Jean Raspail's *Camp of the Saints*, for instance, or Michael Fumento's *The Myth of Heterosexual AIDS*, Steven Goldberg's *The Inevitability of Patriarchy*, or anything by Arthur Jensen on group differences in intelligence. But it's a pretty safe bet that students aren't much better acquainted with Plato, the Bible, or Shakespeare, so maybe they should read some of the staples of the old "Western Civ" courses first—except, of course, that one shudders to recall how the classics are often taught these days.



Anyway, enough stalling: I'll play your game. You want one book?

My nominee is *I'll Take My Stand: The South and the Agrarian Tradition*, published in 1930 by "Twelve Southerners," most of them literary chaps associated with Vanderbilt University (all white males, and all but one now dead). "The Vanderbilt Agrarians," intellectual historian Richard King has written, "offered the closest thing to an authentic conservative vision which America has seen," and certainly John Crowe Ransom, Allen Tate, Robert Penn Warren, and their colleagues stand in a tradition of anti-industrial, anti-modern thought far better represented in England and on the Continent (and latterly in the Third World) than in the United States, a tradition today's students will find almost totally unfamiliar.

Like their antebellum cousins the pro-slavery theorists, the Agrarians started with reasonable, even commonplace, observations, but took them in startling directions. They disliked alienated labor and automobiles, ecological degradation and total war, all fashionable complaints on modern campuses. But their prescriptions were very old-fashioned: The family farm. Revealed religion. Good manners. And, Lord knows, most of the 12 could write.

What would MTV addicts make of Andrew Lytle's admonition to turn off the Victrola and take the fiddle from the wall? What would a generation of mall rats make of his paean to the spinning wheel? I don't know, but it would be fun to see, and those who are capable of being puzzled might be the better for it.

John Shelton Reed is William Rand Kenan Jr. Professor of Sociology at the University of North Carolina at Chapel Hill.

Lynn Scarlett

So many and varied are the niches of inquiry left unexamined in our schools that I feel obliged to recommend as an educational supplement a nonfiction epic of ideas. Nobel laureate F. A. Hayek's *The Constitution of Liberty* is such an epic.

Education should nurture the capacity to think about ideas and their consequences. Hayek counts among those ideas worth revisiting "that ideal of freedom which inspired modern Western civilization and whose partial realization made possible the achievements of that civilization."

The idea of liberty deserves particular attention because, as Hayek proposes, it is "not merely one particular value but...the source and condition of most moral values. What a free society offers to the individual is much more than what he would be able to do if only he were free."

But just what is this liberty (or freedom) of which Hayek writes? Why should we care about it? How do notions of freedom relate to current events and issues?

These are questions Americans need to ask. *The Constitution of Liberty* can assist in this inquiry.

Abraham Lincoln wrote that "we all declare for liberty: but in using the same word, we do not mean the same thing." Hayek unpacks the rhetoric of freedom. He contrasts at least four different concepts: political freedom (democracy); inner freedom (free will); freedom as power (to do or get what we want); and freedom as the absence of coercion.

It is the fourth concept that Hayek views as essential to human progress. The first concept, political freedom, he regards as instrumental to real freedom only if limited. The other two concepts he regards, respectively, as an irrelevant fiction and a dangerous conceit.

Hayek's discussion of the idea of progress contrasts evolutionary, unplanned progress—spontaneous order—with attempts to deliberately design the "good world." Socrates wrote that "the recognition of ignorance is the beginning of wisdom." Hayek develops this Socratic idea as it relates to human institutions, economic action, and progress. For Hayek, a central human problem is how to coordinate human actions and pursue human ends in a context of ignorance. Hayek's writings on progress and knowledge anticipate the more contemporary works of Aaron Wildavsky (*Searching for Safety*) and Peter Huber (*Liability*) when he suggests that "progress depends on accidents." And his writings on progress and knowledge anticipate the great modern debates about urban planning and environmentalism.

The Constitution of Liberty offers a compact history of politics and Western political theory; of economics; of public policy; and of that oft-neglected concept, morality. Unlike some of his other renowned works, such as the three-volume *Law, Legislation, and Liberty*, *The Constitution of Liberty* is eminently accessible. Hayek reminds us that arguments for limited government are best cast in terms of fundamental principles about human progress and moral values. Arguments about the inexpedience of particular government measures simply reinforce the idea that "the desirability or undesirability of a particular measure could never be a matter of principle but is always one of expediency."

Lynn Scarlett is vice president for research at the Reason Foundation.

Ted Nicholas

Only Way Left for Little Guy to Get Rich

Important message for anyone else who sincerely wants to be a millionaire

"There is only one way to make a great deal of money—and that is in a business of your own," said the late J. Paul Getty, billionaire entrepreneur and wealthiest man in the world.

The rich get richer by applying the most powerful wealth-building secrets known today. First, they form business entities. Then, sell them in whole or in part. For millions! Even billions!

Today's richest Americans, people such as Ted Turner, John Kluge, Mary Kay Ash, Bill Gates, Debbie Fields, and the late Sam Walton all made their millions by starting and building businesses of their own. And then selling them. Or going "public" by selling shares in their company while keeping control. This is also how 97% of America's 500 wealthiest self-made created their wealth.

The other 3% were investors in real estate or the stock market. But while you can become wealthy in these fields, large sums of capital must be invested. With your incorporated company, you can start small. At home. *With zero capital.*

The wealth secret

America's super wealthy all use the same business form. They operate their business through a corporation! Some are "S" corporations. Some are "C" corporations. Some are professional corporations. Some are even nonprofit corporations. Every single one of them uses the corporate form of business. They have learned the hard way that *incorporating yourself is a must.*

Why do the very rich always operate through corporations? For example, why do you think Steve Jobs, who started Apple Computer in a garage without capital and without a single employee, immediately incorporated?

Jobs realized no one can build wealth from ordinary income alone. It can only be done through capital gains. Use this secret of the super rich. Before you start a business, even if you are planning on your kitchen table, you too should prepare for *your biggest payday ever.* That's when you sell all or some of your incorporated enterprise for the really big dollars!

Incorporating yourself is the way to riches

Not a single person among the Forbes 500 wealthiest Americans operates their business as a proprietorship. Or partnership. Join this elite group. And any good tax advisor will tell you this. Virtually no one will buy your business today unless you have operated as a corporation for at least 3 years prior to the sale. So don't delay. Current tax laws make incorporation almost mandatory.

Yes! If you truly want to get rich, incorporating yourself is the very first step. You don't need employees. Or capital. You don't even need a product. You may even be able to turn a job into a corporation. More about that in a moment. A remarkable book, HOW TO FORM YOUR OWN CORPORATION WITHOUT A LAWYER FOR UNDER $75 by Ted Nicholas, takes all the mystery out of it. And makes incorporation simple and easy to do. Economically. And quickly. Without expensive lawyers. Save $300 – $2,500 in legal fees alone. Without hassles. Or delays. Lawyers can make you wait weeks. With the book you can be incorporated in *7 minutes or less on the telephone!*

This book contains step-by-step instructions plus 100s of wealth building and tax saving ideas. All the tear-out forms you need are in the book! All the types of corporations are covered. Open, close, nonprofit, professional, and the popular "S" Corporation. Minutes and bylaws, even the actual certificate of incorporation, are all included—everything that's needed.

And that's not all. There are many other important reasons to incorporate, including:

Liability protection

The current state of the U.S. legal system is deplorable. Anyone can engage a sue-happy lawyer to name you in a frivolous lawsuit. Result? Even if you win the case you can lose. Everything you've saved might be needed just to pay the enormous legal fees to defend yourself. All your personal assets such as your home, cars and cash could be wiped out. You can also lose a lawsuit in court and have a huge award go against you. Just because of a legal technicality. However, when you incorporate you completely avoid personal liability. All you risk is what you choose to invest in your business—and this can be zero in many cases.

HOW TO FORM YOUR OWN CORPORATION WITHOUT A LAWYER FOR UNDER $75 will show you how to operate your corporation anonymously for maximum privacy. And as the rich know very well, a corporation can also become your—

Ultimate Tax Shelter!

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- Meals at fine restaurants 50%
- Home office deductions for phone, electricity, rent 15%–85%
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Another key benefit a corporation provides is your own pension or profit-sharing plan. Imagine getting a *tax write-off of up to $30,000 a year.* This allows you to build wealth, earning 100% tax-free dividends and income until you retire. Then you withdraw it at lower tax rates. You can have a comfortable retirement and even become a millionaire from this benefit alone!

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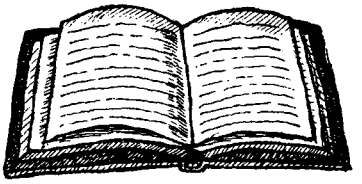

Looking for Clues

By Rick Henderson

Dixie City Jam, by James Lee Burke, New York: Hyperion, 367 pages, $22.95

Free Fall, by Robert Crais, New York: Bantam, 288 pages, $19.95/$4.99 paper

"K" is for Killer, by Sue Grafton, New York: Henry Holt and Co., 284 pages, $22.95

Black Betty, by Walter Mosley, New York: W.W. Norton & Co., 255 pages, $25.99

Walking Shadow, by Robert B. Parker, New York: G.P. Putnam's Sons, 270 pages, $19.95

Tunnel Vision, by Sara Peretsky, New York: Delacorte Press, 432 pages, $21.95

In his 1950 essay, "The Simple Art of Murder," Raymond Chandler showed nothing but contempt for the "logic and deduction" model of detective stories made famous by Arthur Conan Doyle, Agatha Christie, and Dorothy Sayers. Chandler savaged the literary pretensions of those writers, mostly of British descent, who relied upon "the same incomprehensible trick of how somebody stabbed Mrs. Pottington Postlethwaite III with the solid platinum poniard just as she flatted on the top note of the 'Bell Song' from *Lakmé* in the presence of fifteen ill-assorted guests."

Chandler said Sayers and her clever colleagues wrote stories that "do not really come off intellectually as problems, and they do not come off artistically as fiction. They are too contrived, and too little aware of what goes on in the world. They try to be honest, but honesty is an art. [The inferior mystery writer] thinks a complicated murder scheme which baffled the lazy reader, who won't be bothered itemizing the details, will also baffle the police, whose business is with details." Chandler, and Dashiell Hammett two decades earlier, reinvented the detective story with their hard-boiled style, detailing believable events that might happen to actual people.

Although Sherlock Holmes, Hercule Poirot, and their literary descendants retain a large following, there are dozens of contemporary writers keeping the realistic crime novel alive. While the writers of science fiction, fantasy, and even romance novels create heroic individuals who inhabit ideal worlds, the author of the hard-boiled crime novel must formulate characters and situations that are constrained by reality. Readers who want to see heroism demonstrated in plausible settings—and get some fine storytelling in the bargain—can find plenty to enjoy in hard-boiled detective fiction.

Robert Parker: The dean of today's hard-boiled detective fiction.

JOHN EARLE

With August Dupin, Edgar Allan Poe created the private "consulting detective" in literature; Conan Doyle's Sherlock Holmes immortalized the character type. But contemporary society is much removed from 1830s France or Victorian London. The early detectives were brought in after some chaotic event—usually a murder or robbery—disrupted the stable order of that time's proper society. For the most part, Dupin and Holmes, although technically private citizens, worked for the police or some other government agency.

By the time Hammett arrived in the 1920s, the world wasn't nearly so orderly. Crime bosses, bad cops, and corrupt politicians had disrupted "decent society," or prevented it from developing in the first place. The boom towns of the American West were easy targets for the rogues and charlatans who inhabited hard-boiled stories. Private investigators were called in because government authorities couldn't be trusted.

For his first novel, *Red Harvest* (1927), Hammett created the Western town of Personville, "an ugly city of forty thousand people, set in an ugly notch between two ugly mountains that had been all dirt-

ied up by mining. Spread over this was a grimy sky that looked as if it had come out of the smelters' stacks.

"The first policeman I saw needed a shave. The second had a couple of buttons off his shabby uniform. The third stood in the center of the city's main intersection—Broadway and Union Street—directing traffic, with a cigar in one corner of his mouth. After that I stopped checking them up."

In this environment, any order a detective could restore might be limited to those few individuals within his personal contact. But Hammett didn't write morality plays. His protagonists are themselves corruptible. At the end of *The Maltese Falcon*, Sam Spade turns Brigid O'Shaughnessy over to the police for killing his partner—not because he believes murder is immoral but because a private eye can't remain in business if his partner's murder is unsolved. And Nick and Nora Charles try to obscure the moral depravity that surrounds them by sinking into an alcoholic haze.

Chandler's creation of Philip Marlowe added a new dimension to the hard-boiled story: the detective as individualist hero. The heroic detective, wrote Chandler, "must be a complete man and a common man and yet an unusual man. He must be, to use a rather weathered phrase, a man of honor—by instinct, by inevitability, without thought of it, and certainly without saying it."

Philip Marlowe has sired many literary offspring, private detectives who live heroically in a corrupt society. Today's hard-boiled writers portray a world in which a semblance of order has replaced the chaos of Chandler's day. But it's a malevolent order, imposed by gang leaders, crime bosses, crooked cops, or venal public officials. And this malevolence has begun to seep into the lives of normal people—some wealthy, some not.

Today's heroic detective serves as the moral center of an immoral society: He (or in some important cases, she) is an efficacious individual whose very presence insinuates an element of chaos in the prevailing malevolent order; to be successful,

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he must disrupt the corruption around him so that some sense of rationality—not spontaneous order in the liberal sense, but some sustainable social structure—can try to reassert itself. The detective also lives by a personal code of morality that forces him to defy the statutory law when necessary. And he faces moral challenges that sometime supersede the mystery he tries to solve. As first-person accounts, these novels also give readers inside knowledge of the detective's thoughts and emotions.

Robert B. Parker, the dean of today's hard-boiled writers, was chosen by Chandler's estate to complete the unfinished Marlowe novel *Poodle Springs*. Unfortunately, Chandler dealt Parker a rotten hand: In the portion Chandler left behind, he had Marlowe marry and leave the mean streets of Los Angeles for the pampered wealth of the High Desert.

Parker has been on much more solid ground, however, in the two dozen novels featuring his Boston-based detective Spenser. At his best, Spenser is a prototypical hard-boiled hero: He says little, while remaining tough, literate, and funny. And Spenser lives by his own code of ethics. In *Paper Doll* (1993), for instance, Spenser solves a murder but refuses to turn in the killer because the victim, in Spenser's view, deserved her fate.

In *Walking Shadow,* Spenser serves as bodyguard to the head of a theater company on whose board sits Susan Silverman, Spenser's longtime love. The director believes he's being stalked, and the impoverished company hires Spenser as his protector, expecting Susan to foot the bills.

As Spenser tries to identify the stalker, he runs afoul of the leader of the local Chinese mob. For assistance, Spenser brings in his longtime colleague Hawk. And they enlist Mei Ling, a Harvard student, to serve as interpreter.

Spenser and Mei Ling spend an icy, unproductive day trying to elicit information from reluctant merchants in Port City's Chinese community.

"'Most of these Chinese people,' Mei Ling said, 'have never before spoken to a white person.'

"She was shivering. I didn't think it was so cold, but I didn't weigh ninety pounds.

"'They call that speaking?' I said.

"Mei Ling smiled.

"'It is very Chinese to be reticent,' she said. 'For many centuries Chinese people got only trouble from talking. We find saying little and working hard to be a virtue.'

"'Novel idea,' I said.

The detective lives by a personal code of morality that forces him to defy the law when necessary. And he faces moral challenges that sometime supersede the mystery he tries to solve.

"'And, of course, despite the fact that I explain to them otherwise, many of these Chinese people think you are from the government.'

"'And if I were?'

"Mei Ling hugged herself as she walked. I could see that it was will, only, which kept her teeth from chattering.

"'Then you would make them pay taxes, or find that they were here illegally and make them leave. Our history has not taught us to trust our government.'

"'Most histories don't,' I said."

Unfortunately, *Walking Shadow* and other recent Spenser novels have violated Chandler's first rule of hard-boiled storytelling: Make your detective a credible character. Spenser isn't anymore. He is a Korean War veteran working in the 1990s, which forces Parker to deal with a 60-something detective who's supposed to exude virility and youth.

The hard-boiled series writer faces a paradox: keeping the main character alive (or else the series must end) while also credibly placing him in harm's way. Without a sense of physical peril, the detective might as well be Nero Wolfe or Hercule Poirot, solving mysteries without ever taking off his smoking jacket or leaving his drawing room.

Parker has also imbued Spenser and Hawk with invulnerability. (In the least plausible Spenser novel, 1992's *Double Deuce*, Spenser and Hawk clean up a gang- and drug-infested housing project with no other assistance.) The earlier Spensers featured suspense along with a sense of danger; now we get little more than crackling dialogue combined with superhuman feats of strength performed by characters who must be a few years away from collecting Social Security.

With Elvis Cole, Louisiana-born Robert Crais has created a detective who better fits Marlowe's mold than the '90s Spenser. Cole is a Vietnam veteran who lives in the Hollywood Hills, adores Jiminy Cricket, keeps fit by practicing martial arts, and occasionally strikes up conversations with his cat. (The cat doesn't have much to say.)

Most of the action in *Free Fall*, the fourth Cole novel, takes place in South-Central L.A. Cole finds out that, during a weapons sting, members of REACT, an elite LAPD unit, had beaten and killed a black pawn-shop employee. The police claim the death was accidental; the family contends it was a malicious act by out-of-control cops.

The REACT cops frame Cole and his partner, Joe Pike, for three execution-style murders. They escape from jail to protect a girlfriend of one of the cops from retribution by other REACT members.

"I called Charlie Bauman, a lawyer I know who has an office in Santa Monica. I called him at home. Charlie answered on the fourth ring and said, 'Hey, Elvis, how's it going, buddy?' There was music somewhere behind him and he sounded glad to hear from me.

"I said, 'I'm sitting on the floor in my living room, in the dark, and I'm wanted on three murder counts and a dope charge.'

"Charlie said, 'Shit, are you out of your nut?' He didn't sound so happy to hear from me anymore.

"I told him about it. When I got to the

arrest and the questioning, he stopped me.

"'You should've called me. Never give up your right to an attorney. That was bush.'

"'I'm calling you now, Charlie,'

"'Yeah, yeah. *After* you fuck up.'

"I gave him the rest of it. When I finished, he didn't say anything for a while.

"'Charlie?'

"'You assaulted a police officer, and you escaped?'

"'Pike and I. Yeah.'

"'Shit.'

"I didn't say anything.

"Charlie said, 'Okay. You've got to come in. Come to my place, and we'll go in together. I'm sure we can pull bail, even after this.'

"'No.'

"'What do you mean, no?'

"'I can't come in yet, Charlie. There's something I've got to do.'

"Charlie went ballistic. 'Are you *fucked*?'

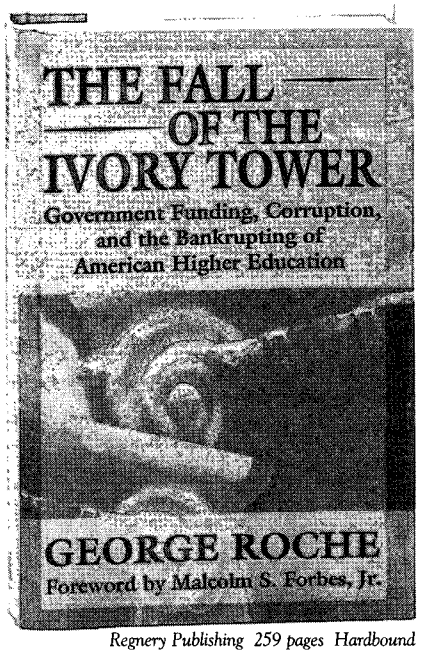
"I hung up."

Cole has to rely upon the more-honest REACT members to turn in their rotten colleagues and on the top brass in the LAPD to prosecute the bad cops. It's not an uplifting story, but it's as smart and suspenseful as the best of its type.

Two female writers, Sue Grafton and Sara Peretsky, have created the most normal, believable hard-boiled detectives. Grafton combats the problem of the aging detective by limiting Kinsey Millhone's experiences to the 1980s. *"K" is for Killer*, the 11th in Grafton's alphabet series, is again set in Santa Teresa (actually Santa Barbara), California.

Kinsey is 32, twice divorced, drives a VW Beetle, lives in a converted garage, cuts her hair with nail scissors, and has lost her primary gig as an investigator for the California Fidelity Insurance company. Along with the other detectives in the genre, Kinsey's fierce independence and the profession she has chosen make it difficult to maintain long-term friendships, let alone romantic relationships. In *"J" is for Judgment*, she accidentally discovers that several family members live an afternoon's drive from her home, and spends much of the novel agonizing over whether she should make contact with them.

In *Killer*, while waiting to interview a nurse who knew the victim of the murder she's investigating, Kinsey sits in a waiting room glancing at a glossy woman's magazine. "Intellectually I understood that these were all highly paid models simply *posing* as housewives for the purpose of selling Kotex, floor covering, and dog food. Their lives were probably as far removed from housewifery as mine was. But what did you do if you actually were a *housewife*, confronted with all these im-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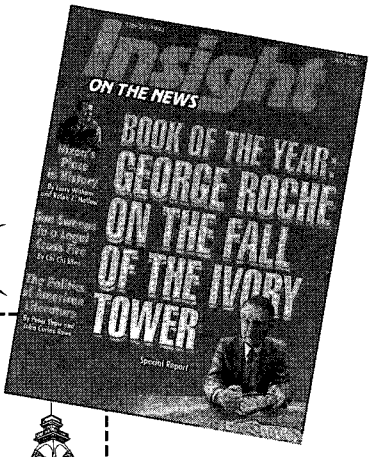

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ages of perfection on the hoof? From my perspective, I couldn't see any connection at all between my lifestyle (hookers, death, celibacy, handguns, and fast food) and the lifestyle depicted in the magazine, which was probably just as well. What would I do with a fluffy mutt and containers full of dill and marjoram?"

Tunnel Vision is the eighth novel featuring Chicago private eye V.I. "Vic" Warshawski. Author Sara Peretsky is relentlessly P.C. and Warshawski wears her left-liberalism on her sleeve. For instance, Vic previously defended a friend's abortion clinic from Operation Rescue–like protesters. In this novel, she tries to solve the murder of an acquaintance who served with Vic on the board of a battered women's shelter. (One redeeming quality: Vic is a die-hard Cubs fan.)

But once Peretsky stops preaching and lets Warshawski start detecting, you can ignore the proselytizing. Peretsky writes a great page-turner.

As with Kinsey, Warshawski's independence causes trouble with those who care most about her. She refuses help from her boyfriend, police Sgt. Conrad Rawlings, even after her apartment is broken into and she is roughed up by the burglars.

In a heated conversation, Rawlings says to her: "'Vic, it seems to me you guard everything you do like you were protecting baby Moses from the Pharaoh, and when I learn of it by accident you grudgingly hand me a bulrush or two....I think the truth is you like to fly solo, girl. If someone's in your wing, even if it's a friendly plane, you'll shoot it down.'"

If you can get past Peretsky's political correctness, the V.I. Warshawski series is plenty of fun.

Walter Mosley and James Lee Burke may be the most literary writers of the genre. They have certainly created the most complicated protagonists. Bill Clinton says Mosley is his favorite detective writer, but that shouldn't dissuade you from getting to know Ezekiel "Easy" Rawlins.

Rawlins is a World War II veteran who has settled in South-Central L.A. Over a few years he has amassed a small fortune in real estate, both residential and commercial. Yet he portrays himself as a common laborer, an errand-runner for Mofass, an older black man who dresses sharply, talks smoothly, and can impress white power-brokers more convincingly than the youthful, hot-headed Rawlins. Mofass is in truth Easy's employee, but they're the only ones who know it.

In *White Butterfly*, the third Rawlins novel, set in 1956, Easy's lies start to catch up with him. Easy's wife takes their daughter and leaves L.A. because he refuses to tell her how he earns his supposedly meager living. When *Black Betty* opens, it's five years later, and Easy is living with his adopted Mexican son Jesus, and Feather, the infant girl left orphaned by the murder victim in *White Butterfly*.

Living in South Central was no picnic, even 30 years ago. As Rawlins searches for a woman he hasn't seen in three decades, he's beaten by a Beverly Hills policeman, incarcerated without being charged with a crime, and stabbed with an ice pick by an unknown assailant.

Mosley pulls no punches: "John's bar didn't open until noon but I would have found him there if we hadn't had that appointment. Men like John and me didn't have lives like the white men on TV had. We didn't roll out of bed for an eight-hour day job and then come home in the evening for *The Honeymooners* and a beer.

"We didn't do one thing at a time.

"We were men who came from poor stock. We had to be cooks and tailors and plumbers and electricians. We had to be our own cops and our own counsel because there wasn't anything for us down at City Hall.

"We worked until the job was done or until we couldn't work anymore. And even when we'd done everything we could, that didn't mean we'd get a paycheck or a vacation. It didn't mean a damn thing."

Unfortunately, Mosley views everything through a racial prism. Although at that time people with the wrong skin color were no doubt treated by "proper society" as inferior, Los Angeles wasn't the Jim Crow South. Even so, Rawlins treats all white people with equal contempt. And Mosley offers only one sympathetic white character—a man with a black wife.

The cheerless environment Rawlins inhabits imparts a mood to these novels that resembles Hammett's world more than Chandler's. Rawlins possesses more integrity than anyone around him, but he refuses to trust anyone and has no problem deceiving his wife and his few friends. The hard-boiled hero, to use a cliché, must be the sort of person you would want to be trapped with in a fox hole. I'm not sure Easy Rawlins meets that standard.

James Lee Burke writes from the Louisiana bayou, in an atmosphere that is often as foreboding as Easy Rawlins's Los Angeles. And his protagonist, Dave Robicheaux, is a recovering alcoholic and former New Orleans homicide cop.

Robicheaux would be happy to spend all his time running the bait shop and fishing dock he owns in New Iberia. But he continually runs into mobsters, drug lords, and, in this instance, neo-Nazis. His single-minded pursuits of justice often place his family at great peril. While on a drunken binge in *Heaven's Prisoners*, an early Robicheaux novel, Dave lets a group of thugs break into his house and brutally murder his wife. Nonetheless, Robicheaux somehow overcomes his personal demons to be the most inspiring character of the contemporary hard-boiled school.

Burke adores the Louisiana landscape, and his descriptions of it are a recurring delight: "As the late red sun seemed to collapse and melt into a single burning ember on the horizon, you could see the neon glow of New Orleans gradually replace the daylight and spread across the darkening sky. The clouds were black-green and low over the city, dancing with veins of lightning, roiling from Barataria all the way out to Lake Pontchartrain, and you knew that in a short while torrents of rain would blow through the streets, thrash the palm trees on the esplanades, overrun the gutters in the Quarter, fill the tunnel of oak trees on St. Charles with a gray mist through which the old iron, green-painted streetcars would make their

way along the tracks like emissaries from the year 1910.

"New Orleans was a wonderful place to be on a late evening in August."

Burke's secondary characters—Cletus Purcel, Robicheaux's hilariously demented former homicide partner, and Will Buchalter, the sadistic Nazi Dave must destroy—are so compelling they could be flesh and blood. Burke combines the elements of Chandler's best work: sparkling dialogue, marvelous descriptive writing, quirky but believable characters, and a heroic message set among ordinary people.

Though he was writing nearly a half-century ago, Chandler described a society that is only too familiar to us today: "a world where you may witness a holdup in broad daylight and see who did it, but you will fade quickly back into the crowd rather than tell anyone, because the holdup men may have friends with long guns, or the police may not like your testimony, and in any case the shyster for the defense will be allowed to abuse and vilify you in open court, before a jury of selected morons, without any but the most perfunctory interference from a political judge."

The superior hard-boiled writers recognize that this world—our world—cries out for heroic individuals who can live up to Chandler's ideal: "He must be the best man in his world and a good enough man for any world....He has a range of awareness that startles you, but it belongs to him by right, because it belongs to the world he lives in. If there were enough like him, the world would be a very safe place to live in, without becoming too dull to be worth living in."

Rick Henderson is Washington editor of REASON.

Teach Your Children Well

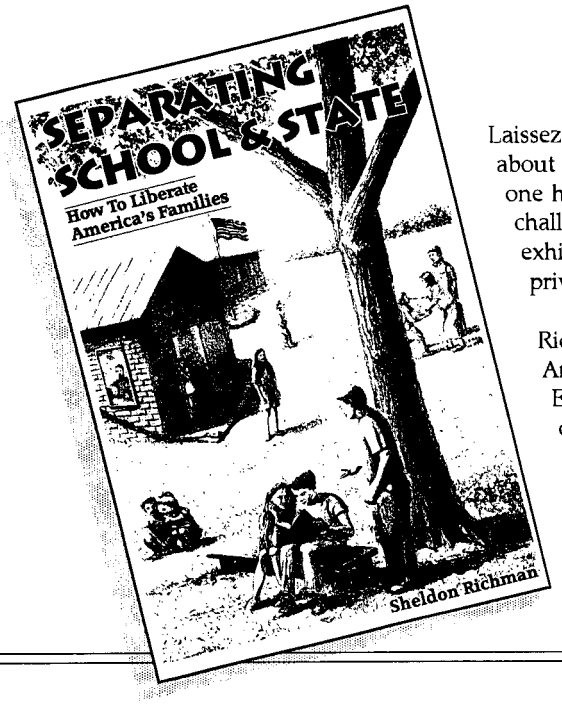
By Nick Gillespie

The Book of Virtues: A Treasury of Great Moral Stories, edited by William J. Bennett, New York: Simon & Schuster, 831 pages, $27.50

At some point in my late teens, my father confided that he was sorry that my siblings and I—and children in general—were forced to "grow up so soon these days" (this was in the early '80s). He wished, he said, that

"This Book Should Be in the Hands of Every Teacher and Every Parent."

—John Hospers
Professor Emeritus of Philosophy
University of Southern California



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John Taylor Gatto (New York Teacher of the Year) says: "Mr. Richman is right—state schooling doesn't work because it can't work." And Dr. Walter E. Williams (John M. Olin Distinguished Professor of Economics at George Mason University) calls this book "a powerful contribution." You'll call it an essential addition to your bookshelf.

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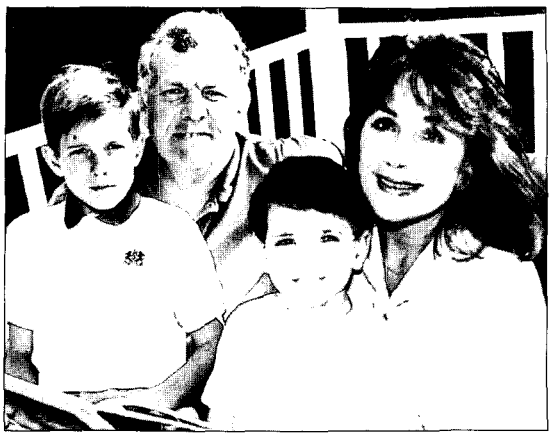
kids could be better protected from the rough-and-tumble problems of the adult world, as they had been when he was young.

I remember thinking: What the *hell* is he talking about? Here was a guy who was born (at home, by a midwife!) into truly marginal social and economic conditions in New York City in 1923; who almost died of rheumatic fever and saw friends crippled by polio; who came of age during the Great Depression; who started working at age 12 to help support his family; who once stood in line for hours when a department store offered free winter coats to needy children; whose adolescence was spent moving to shabbier and shabbier apartments in worse and worse slums; whose social milieu consisted of broken homes and drunken or absent fathers; and whose own youth ended definitively when he landed at Normandy beach as part of the D-Day invasion. And here he was, telling me—a kid raised in the taken-for-granted luxury we obfuscate with the term "middle-class"—that my peers and I had seen too much, too soon. I came to the logical conclusion that my father was senile.

A dozen or so years later, I'm certain my old man was not senile. And as my first child approaches his first birthday, I think my father might even have been right about the changed nature of childhood. Or, rather, I have a better understanding of what he was talking about. I've come to realize that as a parent you view the world of your child through the eyes of a stranger in a strange land. Even as you attempt to guide and protect your charge through the streets of New Babylon, you realize that you do not really speak the language, know the rituals, or comprehend the customs of the world in which your child will live. It is flush with dangers—and opportunities—that you never encountered. By contrast, the world of your own childhood is terra cognita and, by default, a less-foreboding place. Unfortunately, most of what you learned growing up is by necessity outdated, outmoded, and obsolete.



William J. Bennett: The first job of adults is to educate youth in "the traits of characters we most admire."

What, then, can a parent teach a child that will be of any enduring use or relevance? This is the question that explicitly informs William J. Bennett's *The Book of Virtues*, a "compendium of great stories, poems, and essays from the stock of human history and literature" which bills itself as a " 'how-to' book for moral literacy." For Bennett, the first job of adults is to educate youth in "the traits of characters we most admire." "[Children] must," writes Bennett in his engaging, eminently sensible introduction, "achieve a minimal level of moral literacy that will enable them to make sense of what they see in life and, we may hope, help them live it well." He is, in short, talking about general principles which, though learned under specific circumstances, allow an individual to make meaningful, conscious decisions in new and obscure situations.

A couple of years ago, such talk would have branded Bennett a conservative crackpot, a Reaganite leftover who mistook *Father Knows Best* for reality. But nowadays, *The Atlantic Monthly* certifies that "Dan Quayle was right" and elected officials—especially Bill Clinton—want to talk about "values" and "virtues." Judging from the critical and popular reception *The Book of Virtues* has received, people are interested in the conversation. Earlier this year, *The New Republic* suggested Bennett's book "compels respect," a sentiment apparently shared by readers writ large: As of mid-September, *The Book of Virtues* had spent 38 weeks on *The New York Times* best-seller list and showed no signs of dropping off.

Not just the cultural climate has changed, however. This is a kinder, gentler Bill Bennett, certainly not the drug czar who once flirted with notions such as publicly hanging drug dealers and shooting down planes suspected of carrying drugs. It may just be possible that Bennett is lurching towards a grudging, pragmatic libertarianism. Especially over the past year or so, he has been outspoken on the need to shrink the state and to rely on non-coercive means of achieving a particular sort of society (as Bush's drug czar and Reagan's secretary of education, he often favored expanded roles for the government).

"There are real limits to what the state can do, particularly when it comes to imparting virtue and forming character," writes Bennett in the 1993 edition of his *Index of Leading Cultural Indicators*. In this sentiment, he moves beyond traditional conservatism which, as F. A. Hayek pointed out, "is less concerned with the problem of how the powers of government should be limited than with...who wields them."

Having occupied the seat of power himself, Bennett seems now to understand that big government, whether "conservative" or "liberal" in bent, undermines social order. "There is a role for government," Bennett recently told the *Los Angeles Times Magazine*, "but it has become the place of first resort for every problem....It seems to me we ought to devolve government, get [its functions] to the state level, the local level, to communities and non-government entities, and right on to the logical extension—to the people themselves." Accordingly, Bennett has withdrawn from the political arena—he recently declared he will not seek the GOP presidential nomination—and has opened up shop in the marketplace of ideas.

And what are the "virtues" that Bennett is hawking? They are "certain fundamental traits of character...[for which]...the

ELLEN BENNETT

vast majority of Americans share a respect ...honesty, compassion, courage, and perseverance." (He also includes self-discipline, responsibility, friendship, work, loyalty, and faith.) Each of the book's 10 chapters is devoted to a different virtue and includes a wide range of simple and more sophisticated material. For instance, the "Responsibility" section includes the poems "The Three Little Kittens" and "Little Orphan Annie" as well as Martin Luther King's "Letter From Birmingham City Jail" and C. S. Lewis's "Men Without Chests."

Bennett supplies a general introduction about each virtue and a few lines explicating each particular selection. He skirts the issue of whether literature is an efficient teacher of morality—think of the English Romantics, who read Milton's *Paradise Lost* and walked away singing Satan's praises—by stressing instead the process of moral interpretation. "People of good character are not all going to come down on the same side of difficult political and social issues," writes Bennett. "Good people—people of character and moral literacy—can be conservative, and good people can be liberal."

The Book of Virtues is surprisingly diverse in its readings—sources range from the obvious (stories from the Old and New Testaments, children's verse by Hillaire Belloc, tales by Aesop and the Brothers Grimm) to the unexpected (African and American-Indian folk tales, writings by and about Frederick Douglass and Harriet Tubman, a testimonial by Babe Ruth). Bennett also includes didactic doggerel designed to teach children manners and morals (e.g., "Table Rules for Little Folks") that will no doubt stick with young children and amuse older, ironical ones.

Bennett displays an unexpected but welcome creative streak in his choices. In the "Courage" chapter, for instance, he reprints British explorer Ernest Shackleton's advertisement for volunteers for an Antarctic expedition: "MEN WANTED FOR HAZARDOUS JOURNEY. Small wages, bitter cold, long months of complete darkness, constant danger, safe return doubtful. Honor and recognition in case of success." There's even room in this big tent for gay and lesbian writers—albeit very canonical ones (Oscar Wilde, Willa Cather) whose works don't betray their personal proclivities. Such eclecticism drives home the point that virtue and morality are to be found everywhere.

One could quibble with Bennett's selections—is "The Charge of the Light Brigade" really an example of "responsible" behavior?—and his annotations—is "The Three Little Pigs" really a story "about working smart"? But such criticism misses a larger, more important detail: The pieces, contextualized as they are, provoke a dialogue and discussion between parent and child, reader and text. This is really the point of *The Book of Virtues*. In any case, Bennett notes that his book "is by no means a definitive collection of great moral stories." He wears such humility—certainly a virtue in itself—well.

If anything mars *The Book of Virtues*, it is Bennett's references to a vaguely defined "common world, a world of shared ideals." Not surprisingly, he hearkens back to a more-noble, pre–TV-age past when people apparently agreed on everything.

If anything mars *The Book of Virtues*, it is Bennett's occasional references to a vaguely defined "common world, a world of shared ideals." Not surprisingly, he hearkens back to a more-noble, pre–TV-age past (the 1950s? the *1850s*?) when people apparently agreed on everything. This is an echo of Bennett's conservatism—like all conservatives, he prefers the past mostly because it *is* the past.

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But the strength of his collection is not that it recaptures an actual historical period when kids and their parents were indeed morally superior.

Rather, what is most appealing about *The Book of Virtues* is the idea that children need to learn ethics the same way they learn to walk: slowly, and in a room free of sharp edges. "The reader," notes Bennett, "may notice [*The Book of Virtues*] does not discuss issues like nuclear war, abortion, creationism, or euthanasia. This may come as a disappointment to some. But...the formation of character in young people is educationally a different task from, and a prior task to, the discussion of the great, difficult, ethical controversies of the day. First things first....The tough issues can, if teachers and parents wish, be taken up later. And, I would add, a person who is morally literate will be immeasurably better equipped than a morally illiterate person to reach a reasoned and ethically defensible position on these tough issues."

Indeed, first things first. Let children first learn that George Washington admitted to chopping down the cherry tree and that honesty is the best policy. Then let them puzzle over the fact that Mason Lock Weems's paean to truth-telling is itself made up and that virtuous living is not a simple, clear-cut matter. As they grow up, their world will become increasingly complex. In its finest moments, *The Book of Virtues* acknowledges there is no street map to the Babylon in which our children will live. The best we can offer them is a compass. ®

Nick Gillespie is assistant editor of REASON.

Metropolitan Visions

By Peter D. Salins

New Visions for Metropolitan America, by Anthony Downs, Washington D.C.: Brookings Institution, 256 pages, $22.95

For five decades now Americans have been deserting cities for suburbs—in some places, such as Detroit or St. Louis, in massive waves; in others, such as New York, in a steady trickle. Ever since the trend became so pronounced that it could no longer be ignored, the opinion elite has declared that our cities are in the throes of an "urban crisis," and demanded that the federal government do something about it.

Whether it really amounts to a crisis or not, the rapid pace at which homes, shops, factories, and offices have settled outside the established historic boundaries of cities in that limitless urban penumbra loosely categorized as "the suburbs" has created serious problems on both sides of the city-suburban frontier. The newly settled suburbs have had to confront the monetary costs of new schools, new roads, and new utilities, and the psychic costs of idyllic rural landscapes giving way to urbanization and congestion. And the cities have had to cope with the consequences of being left with an increasingly unappealing demographic and economic hand as their most prosperous citizens and most successful businesses decamp for the suburbs.

As the dust settles after 50 years of suburban exodus, not only has the cities' share of metropolitan populations fallen by more than 40 percent, but the profile of their remaining residents is disproportionately old, sick, poor, deviant, and criminal. Making things worse, the cities have had to bear a large share of the monetary and quality-of-life costs of caring for their difficult and dependent populations even as the flight of high-income residents and businesses has eroded their fiscal and human resources. As a result, all the major fault lines of American society—rich and poor, white and black, conservative and liberal, native born and foreign—now run along that invisible but critical boundary that separates U.S. cities from their suburbs.

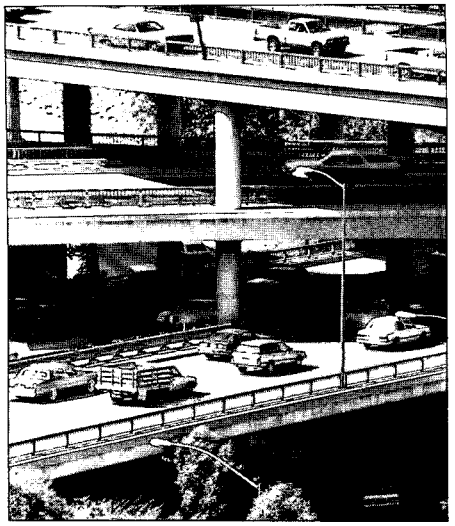
This story of central-city decline and suburban growth is by now a tediously familiar staple of popular perception and scholarly research, amended only by perennial stories of central-city "rebirth" ascribed to various cities when they elect new reformist mayors, are awarded large federal grants for redevelopment, are selected as sites for corporate relocations, or open new airports.

The never-ending urban debate between the political and professional left and right revolves around two issues. First, should we care? Is the decentralization and diffusion of the American metropolis a bad thing, or merely a late 20th-century form of urbanization as natural as the more concentrated variety spawned in the 19th?

The second issue is: If we care, what should be done about it? Should we strive to put the suburban genie back into the metropolitan bottle? Or should we just compensate the cities for their demographic and economic misfortunes? Or should we do both?

Dozens of books, hundreds of magazine and journal articles, and thousands of government and academic reports have been devoted to this debate, yet no consensus has emerged. (I entered this fray with an article in *The Public Interest* last fall, "Cities, Suburbs and the Urban Crisis.") We now have a new overview, *New Visions for Metropolitan America*, by the highly regarded Brookings Institution scholar Anthony Downs.

Downs's book very compactly—but also comprehensively and cogently—encapsulates one side of the urban policy debate: the side that has maintained all along that the decentralization of U.S. metropolitan areas has been a bad thing and that it is high time for us to reverse the process and its consequences with vigorous government action. Downs mounts a concerted attack on five essential aspects of



As Downs concedes, you will never get Americans out of their cars.

JONATHAN NOUROK

the modern American metropolitan paradigm: the endless suburban sprawl of low-density residential development; near-total dependence on the automobile for metropolitan travel; workplaces set in increasingly remote locations; delegation of suburban governments' fiscal and regulatory functions to small, parochial municipal jurisdictions; and the growing segregation of the well-to-do from the poor, and whites from minorities.

Why are those things bad? Downs offers two sets of reasons. The first, expressed in denatured economic terms, revolves around the inherent inefficiency of such arrangements. Low-density development is inefficient in its wasteful use of land. Dependence on the automobile and the long trips made necessary by urban sprawl are inefficient because of the large amount of energy and other resources consumed in travel. And the congestion resulting from the intersection of low-density development and auto dependence is inefficient in its colossal waste of time.

But Downs quickly directs us to the real reason he objects to the modern American urban situation: inequity. In this, he follows in the well-worn grooves of liberal complaints past by lamenting the isolation of poor minority residents in crumbling central-city ghettoes. Such people, argues Downs, are inadequately schooled, badly housed, shut out of jobs by geography and lack of skills and locked in a self-perpetuating cycle of economic and social dysfunction. Downs also laments the fiscal and functional degradation of central-city governments, their limited resources exhausted by futile efforts to serve the urban underclass and unavailable to meet their other residents' more quotidian needs.

Emphasizing the inequity of those arrangements, Downs asserts that they are driven by the preference of most well-to-do metropolitan residents for living in tranquil enclaves of social and racial homogeneity, and their refusal to bear their fair share of community social or infrastructure costs.

Downs goes beyond the traditional liberal lament in offering us what he refers to as "alternate visions" to remedy this metropolitan malaise. Some of his visions are indeed new; others are pulled off the well-stocked shelf of government programs dating back to the Great Society, if not earlier. His visions are arranged in five clusters, each cluster corresponding to one of his generic complaints. Displaying an inordinate fondness for typologies, in the latter part of his book Downs offers the reader a bewildering hierarchical array of policy options and proposals unfolding from his fundamental premises. What it all boils down to, however, is an assault on the basic American metropolitan paradigm.

To reverse suburban sprawl, he would invoke state regulatory powers to increase residential density and set an outer urban growth boundary. Workplace dispersal would be reversed by a mix of regulations and subsidies. While Downs disparages the efficacy of any schemes to get Americans out of their cars, he does suggest government-orchestrated carrots and sticks to make them use their cars more efficiently, through ride-sharing, for example. To counter beggar-thy-neighbor suburban municipal parochialism, Downs would vest development regulations and other relevant local powers in state and regional agencies. And to reverse the effects of race and class segregation he would scatter low-cost housing subsidies throughout

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his now more densely settled and regionally regulated suburban domain.

I share Downs's conviction that, in many respects, the spatial dynamics of American metropolitan areas are unwholesome, and that they are responsible for the decline of American cities. Furthermore, looking at the underlying structure of metropolitan America is preferable to demanding fiscal handouts to cities that would subsidize and entrench their disadvantaged status. Sending federal or state funds to cities has been the only operative urban policy from day one of the "urban crisis" and continues today in the form of the Clinton administration's empowerment zones. Given the futility and bankruptcy of the compensatory strategy, Downs's approach is refreshing.

Where I part company with Downs is in his assumption that the metropolitan dynamics he disparages are the product of natural market forces, and that, therefore, we need intrusive government interventions to reverse them. The simple truth is that the contemporary metropolis is largely a creation of market-distorting government policies and might more easily be reversed by a less-intrusive government presence.

Take suburban sprawl, for example. There is ample evidence that developers, left to their own preferences, would love to build more densely. The denser they can build, the more money they make. Because a large share of their reduced costs would be passed on to home buyers and tenants in a classically competitive urban housing market, most housing consumers, city and suburban alike, would be happy to live at higher densities. They might even welcome the attendant reduction in their travel costs. This is especially true today, as American households are getting smaller and less child-centered.

Other targets of Downs's critique also contravene, rather than reflect, market preferences. Why are workplaces so dispersed in the suburbs? And why do you have to drive three miles to buy groceries or get a haircut? Not because of the market. As in the case of density, developers, employers, and retail entrepreneurs would happily drop commercial enterprises among residential settlements. What prevents these natural market forces from asserting themselves are local zoning codes, with stringent density ceilings and rigid segregation of diverse land uses. Downs recognizes this, but prescribes the wrong remedy. He would take those regulatory powers away from localities and vest them in regional or state agencies, under the perhaps naive assumption that such larger bodies would pursue more efficient or equitable land-use policies.

The simple truth is that the contemporary metropolis is largely a creation of market-distorting government policies and might more easily be reversed by a less-intrusive government presence.

Such regulatory powers are of dubious validity, regardless of their venue. They are neither necessary or beneficial for the protection of public welfare and go way beyond the constitutional limits set by the Fifth Amendment. The correct policy response is not merely to boot them up higher in the governmental hierarchy, but to challenge them in legislative and judicial arenas.

What about the metropolitan racial and economic segregation caused by the paucity of low-cost housing in suburbia (and the subsidization of such housing in central cities)? Downs's remedy is to deploy publicly funded housing subsidies in the suburbs. This is obviously unrealistic politically, but also unnecessary. I believe that if we let the market operate naturally, plenty of low-cost housing would be developed in the suburbs without subsidies, as it once was (remember Levittown?). What keeps it from happening today is a web of zoning and environmental rules that discourage or prohibit the construction of small houses on small lots, and unreasonable subdivision regulations that sharply raise the unit cost of sites. One can build a modest dwelling for under $50,000 in most U.S. urban areas (or deploy a mobile home for under $30,000), and at generally proscribed densities develop sites for under $25,000. That translates into $500–800 in monthly rents or carrying costs, well below the threshold of much subsidized housing.

Another example of regulation that thwarts market impulses and denies countless individuals decent inexpensive housing is the restriction on "accessory apartments"—renting out spare rooms in underoccupied single-family houses. If accessory apartments were openly legal (they exist now in a growing gray market), they would be eagerly embraced by low-budget singles and couples and empty-nest homeowners grateful for the added income.

It isn't just suburbia that would be transformed by letting markets operate more freely. Some measure of the central cities' distress is the result of their own anti-market policies. Conventional wisdom would have us believe that households and businesses intrinsically prefer the remote and disconnected urban hinterland to the heart of the metropolis with its dense transportation and communications infrastructure and its still-extensive stock of commercial and cultural facilities. A good market test of this proposition is to look at the price of land. As it happens, the traditional Ricardian urban land price gradient, with its apex in the metropolitan center and its steep asymptotic slide to the urban perimeter, is still very much with us, broken only by local peaks at major suburban commercial centers.

But if central-city land is so valuable, why is it occupied by slums and the rotting hulks of abandoned factories and warehouses? Because cities have devoted a lot of effort (and federal funds) to inhibit or distort their land and housing markets. Suburban regulations may, to a large de-

gree, have kept the poor out of suburbia and lured the affluent in. But, just as surely, central-city housing and other subsidies have locked the poor in the center city while motivating the affluent to flee. And misguided "economic development" and "community preservation" strategies often prevent the recycling of obsolete manufacturing and housing sites for new residential or commercial uses, even as urban renewal schemes substitute planners' judgments for those of the real estate industry in reconfiguring central business and residential areas.

Other market-disregarding policies have also intensified central-city distress, many of which could be reversed by cities unilaterally without new government initiatives. The bad schools that trap the urban underclass in the lowest tier of the economy, for example, could be fixed without spending more by instituting market-emulating reforms. There is growing evidence that measures like public school choice, charter schools, and vouchers can help even the most disadvantaged youngsters to learn. And other city responsibilities (parks, sanitation, infrastructure, public safety) of particular concern to the remaining middle-income, tax-paying residents could be discharged more effectively and cheaply through a combination of privatization and decentralization.

In a more market-driven urban universe, the kind of metropolitan world Downs favors should develop quite naturally: a denser, more heterogeneous pattern of land use and dwellings, a commercially and residentially vibrant central city, and a spatially integrated and better-housed lower class. Such might very well have arisen in the United States after World War II if a broad spectrum of government actions hadn't subverted it.

But the near-total dependence on cars to get around just about any urban area outside New York that Downs decries is both irreversible and irrelevant to the urban policy debate. As Downs concedes, you will never get Americans (including me) out of their cars. But this does not really prevent the density and development alternatives that Downs (and the untrammeled market) favor. As in the great cities of Europe, a more urbanized metropolis would merely induce Americans to drive less, keep their cars at home more often (when they walked, for example), or maybe induce them to buy smaller cars that are easier to park.

Downs is on the right track in calling attention to the flaws in the spatial ecology of U.S. metropolitan areas, and in promoting new visions to correct them. He is both naive and off-base, however, in suggesting that new state or federal government initiatives would be feasible or effective. If the suburban upper-middle class has, indeed, been the main villain in designing the metropolitan paradigm, as Downs maintains, there is little likelihood that it will voluntarily or happily accede to its redesign.

On the other hand, if I am right in believing that the major features of the current paradigm are not natural, but fly in the face of land, housing, and commercial market dynamics, they might be dismantled more easily and effectively by giving market forces greater play. This is not the likeliest of prospects either, but it gains credibility these days from the growing popularity and political respectability of such market-oriented ideas as deregulation and privatization and the recent success of constitutional challenges to zoning and other development constraints. Three cheers, then, for new metropolitan visions, but ones that let Americans keep their cars and rely on the market, not the government, for implementation.

Peter D. Salins is professor of planning at Hunter College and senior fellow at the Manhattan Institute for Policy Research.

Taking the Popular Out of Popular Music

By Brian Doherty

Hole In Our Soul: The Loss of Beauty and Meaning in American Popular Music, by Martha Bayles, New York: The Free Press, 453 pages, $24.95

Bewailing the content and character of American popular music is often a sport of intellectuals and would-be culture critics who try their hardest never to have to listen to pop music. So this book starts with an advantage: Its author, Martha Bayles, is a serious, credentialed cultural critic who claims no inherent antagonism toward popular music. Her stated goal is to grapple with exactly what has happened to her once-beloved American pop to make it ring so harshly in her ears.

Coarse, vulgar, nihilistic, grating, unlovely in every sense—those are the qualities that Bayles hears in today's pop music. The problem, she says, is that the pure stream of life-affirming Afro-American music, which gets a loving historical overview from her, has been polluted by an injection of attitudes and approaches imported from the European modernist avant-garde. She parses out three strains of modernism, which she calls "introverted" (overly self-obsessed, hermetic, unconcerned with connection with an audience), "extroverted" (striking a balance between skilled formal innovation and respect for tradition), and "perverse" (obscene, nihilistic, obsessed with shocking the bourgeoisie). The middle one, she argues, has been salubrious; the first and last have proven venomous to the system of American pop.

Bayles praises the "tough, affirmative" spirit of the blues, and it is in general a

good-natured humanism—and a perceived lack of obscenity, violence, and bombastic romanticism—that she seems to admire in it. (The material of the blues was not, of course, actually devoid of obscenity and violence.)

But only jazz enjoys extended musicological definition or appreciation from her. It is not the multi-leveled and multi-influenced tradition of the American popular song that really excites Bayles. While posing as an open-minded lover of America's multifarious Afro-American music tradition, she reveals herself instead as that stuffiest of 20th-century musical nuisances, the jazzbo.

As for funk, hip-hop, and most rock 'n' roll, well, that's not even authentically black to her. It's a corrupted nugget of Afro-American root coated with an unpalatable layer of European "perverse modernism." She longs for the old days of buoyant, positive, rhythmically syncopated music made with a certain degree of compositional and melodic complexity and rooted in Afro-American musical traditions. In other words, she misses jazz, a music that hasn't been considered "pop" by most people for around 50 years.

With certain elements of the Republican Party calling for a "culture war," matters that could be considered personal taste—such as appreciation for modern popular music—are becoming presumptive signs of being an alien influence. (Bayles echoes this charge about the aspects of modern pop she dislikes.) Certain questions are entering the realm of politics (which of course, in the end, is the realm of force) with disturbing regularity. Is culture, especially modern culture, "good for you"? Are there essential differences in being good aesthetically and good morally? Is it enough, if you care about a healthy and humane culture, to simply let people like what they like?

Cultural criticism runs a strong risk of reading to many otherwise intelligent readers as if it is written in a foreign tongue. Discussions of the relative beauty or syncopation of popular music might seem like irrelevant babble to someone who isn't a devotee or scholar. Though Bayles tries to deny it by her insistent linkage of the aesthetic and the moral, much of this really is a matter of taste and relative refinement of ear. I suppose she wouldn't believe me if I told her that her judgments about such bands as the New York Dolls, the Kinks, Led Zeppelin, and the Velvet Underground are signs of an untutored ear when it comes to rock. Bayles has already declared that I am "a fool with a tin ear" for loving the Ramones, and I'm sure she considers my inability to enjoy most jazz a sign of ignorance or spiritual corruption on my part.

Martha Bayles: A jazzbo distressed by the state of American pop

But though it is a matter of taste, dominant cultural taste *is* at least as important as the fate of Dan Rostenkowski to someone who cares about their civilization. Maybe that old Platonic saw about the walls of the city crumbling when the music changes is overly melodramatic, but we are all forced to hear pop music even if we don't give a damn about it: in restaurants, bars, malls, even on ferries.

Bayles decries the foolishness of those who deny the links between cultural expression and the real world; she wants it understood that bad music has practical repercussions. She doesn't quite blame gangsta rap for street crime, and she does make a much-quoted statement that "the censorship of popular culture is both a practical and a constitutional impossibility." Later, she makes a less widely quoted statement that "the burden of proof lies with those who would repeal the law against offensive crudity, not with those who would enforce it," so her liberalism appears to come and go in syncopated time.

The reason why she is forced into that contradiction is that, in the end, you can't make aesthetic judgments for others; nor is it even as easy to "convince" someone aesthetically as it is to convince them on more intellectual questions, through rhetoric and argument. If people prefer harder and simpler rhythms, faster tempos, or lyrical subject matters that are more cynical, dark, or despairing than Bayles does, well, what are you going to do?

It doesn't help her argument that she overdramatizes, either. She consistently mistakes scabrous cynicism (as in the Sex Pistols) or wounded romanticism (as in the New York Dolls or Nirvana), rooted in a sense that the world has betrayed deeper values, for nihilism or perversion. She has a hard time seeing through media images or hearing through a sound that can be harsh to the untrained ear. Rock music strikes many ears (including mine) as very often beautiful and meaningful indeed. While she touches on some accurate and depressing sociological observations about the role of heavy metal and gangsta rap as a repository and encourager of the worst sorts of attitudes and behaviors among adolescent males, she fails to make her case about the causes of the problems she sees in pop music, and in the end posits no useful method of solving them.

Political critics of popular culture treat it as a sociological aberration; highbrow critics of popular culture like Bayles treat it as part of the same ecosystem of ideas as higher culture and criticism. Neither of them seems prepared to deal with the material of pop culture according to its own nature: as a folk art—even when sold by corporations—reflect-

CAROL CLAYTON PHOTOGRAPHY

ing the aesthetic values and concerns of those who make it and those who buy it. Ignoring this is Bayles's major flaw, one all too common when professional highbrow critics stoop to conquer baser fields. Bayles and her colleagues need to be reminded what *popular* culture means —that what defines it and shapes it is the taste of the people who create and consume it.

The most obvious way her error manifests itself is in how much of her argument leans on tedious repetition of the sterile futilities of old leftist cultural and literary critics, rehashing ancient Stalinist or Frankfurt school arguments of no importance to or influence on the actual performers or audiences of the music she is allegedly trying to understand and explain. Ignoring them for the dubious joys of verbally fencing with dead Popular Fronters is a major structural error. Popular artists and audiences are not, with rare exceptions, taking their cues from the high culture of fine art or, God knows, fine art criticism (or the Comintern!).

Her scandalized account of what she calls "perverse modernism" is certainly very interesting. Tales of nihilistic anti-art perverts obsessed with shock and obscenity above meaning and beauty are entertaining enough—though I pity the desiccated sensibilities of someone who sees only destructive, violent tendencies in the often hilariously absurd antics of dadaists and noise musicians.

But Bayles's attempt to trace the links of the chain between the ideas of André Breton and the Cafe Simplicissimus and the antics of the likes of Iggy Pop and Genesis P-Orridge is strained and almost certainly irrelevant. Just because a critic can detect patterns doesn't mean that a direct causal influence exists. Bayles shows that the attitudes and tactics of certain punk performers are not new to the earth, but the history of those strategies is hardly relevant to the decisions being made by individual artists decades later in an entirely different context.

Cultural strains such as those Bayles painstakingly traces have significance only to people who are knowledgeable and concerned about culture and tradition. The pop world is all a lot more hermetic than a critic, professionally required to look for connections and big pictures, is prepared to admit. Most pop performers are reacting blindly to their own impulses about what's fun and interesting and what the market will bear. Humor and wit are also far more of an impulse behind all of the rock 'n' roll silliness she chronicles, from Alice Cooper to the New York Dolls to Pere Ubu, than Bayles acknowledges.

Another place where her too-keen critical intelligence overtakes the realities of how audiences relate to her subject matter is her inability to see the trees of individual experiences—songs, in the case of pop music—for the forest of her overarching theoretical structures. She's so busy attempting to prove that the icons of modern rock are at the same time talentless plagiarists from and ruinous corrupters of the Afro-American tradition that she ignores the fact that it is their individual songs that, in the end, make them so beloved, not their "sound" or image.

She gives lip service to the Beatles' ingenuity but makes tortuous attempts to link every aspect of their approach to black forebears. This mutually exclusive damning of modern rockers as having a) stolen everything from the blues and b) ruined and corrupted the blues is an old, sad refrain from musty traditionalists.

While it is difficult to argue with the threads she traces back into pop's black past in the music of the Beatles or the Stones, it's also difficult to point to anything in the Afro-American tradition that sounded just like, say, "And Your Bird Can Sing" or "Street Fighting Man." The genius of pop songwriters isn't just about "sound" or "approach" or the other abstractions of the critics—it's actual songs manifest in particular performances on record that make the pop world go round. It's easy to gloss over that reality with words on a page. For example, to slam Public Enemy as phony perverse modernists destroying the black tradition becomes difficult once you actually listen to the impossible-to-ignore rhythms and

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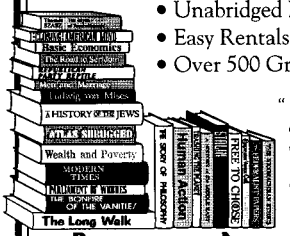

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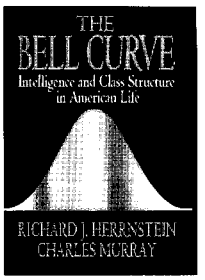

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rhymes of their best song, "Bring The Noise."

Bayles also ignores the realities of audience response in her frequent confusion of her own theoretical understanding of modern rock with the effect the music had on its listeners. Some of these errors are simple, though smugly judgmental and puritanical, such as assuming that because Sly Stone had a personal drug habit, the meaning his music transmitted to its listeners was all about drugs as well.

Some are more complicated. Bayles indulges in revisionist history on the nature and influence of '50s rock 'n' roll, some of which is well-taken. She makes much hay out of detecting elements of their Pentecostalist upbringing in the musical and performance styles of Elvis Presley and Jerry Lee Lewis and uses this to damn mainstream rock critics for overstating both the shocking novelty and sexual undertones of rock in the '50s. But it strains credulity to think that it was in a Pentecostalist framework that their larger audience understood the physical and emotional burst of energy that their music represented.

Bayles and everyone else does agree that rock brought something new to our culture, and that that something had to do with the public display of sexual energy. And while Chuck Berry and Bayles can see links in his music to previous jazz and blues styles, it is also undeniable that it doesn't sound exactly like that old stuff. Something new was molded—out of old ingredients, to be sure. But again, look at the reactions of the fans and listeners: Did they think Berry's music was the same ol' same ol'? Did all the musicians he's influenced, all the lives his music changed?

Besides its fundamental error, the book is rife with incidental errors as well. While presented as a serious intellectual work, with dozens of pages of footnotes, it's loaded with factual errors relating to the book's alleged central topic, contemporary popular music. Bayles gets dates wrong, spells names wrong, misidentifies what album songs appear on, badly mischaracterizes the sounds or careers of bands, and makes critical howlers that smack more of ignorance than opposing critical judgment.

I suspect it is lack of real respect or concern for her topic, not general scholarly slovenliness, that compels her to not bother looking at a Led Zeppelin album to see how John Bonham's name is spelled; to somehow hear the absent Elton John playing nonexistent boogie-woogie piano in the Who's original *Tommy* LP; or to erroneously state that the publicity flap about Professor Griff's anti-semitic comments to the *Washington Times* preceded the release of Public Enemy's *It Takes a Nation of Millions to Hold Us Back* by placing the album's release date in 1989, not the actual 1988. Getting a date wrong is perhaps not a cardinal scholarly sin, but it does seem improper to base an uncharitable inference—that the flap was integral in boosting the band's sales—on your own mistake, as Bayles does.

Bayles gives lip service to the Beatles' ingenuity but makes tortuous attempts to link every aspect of their approach to black forebears. This mutually exclusive damning of modern rockers as having a) stolen everything from the blues and b) ruined and corrupted the blues is an old, sad refrain from musty traditionalists.

Despite all the areas where my rock critic ears find fault with Bayles's judgment, let's judge this book on its own terms: What did it try to do, and did it succeed in its aims? Bayles says she wants to help influence popular taste intellectually. She starts, however, from a vantage point so far away from current popular music taste that her task is hopeless. Fans of Nirvana or Ice Cube will not be turned into fans of Dr. John and Wynton Marsalis by exhortation. They can be encouraged to widen their horizons and give new things a listen, but probably not by people who write in *The Atlantic* and *New Criterion.*

As my comment above about Chuck Berry's music "changing lives" reveals, rock's unique yoking of physical musical expression and tune with verbal meaning is something more than a mere idle entertainment for many devotees, and anyone who has bought as many records, seen as many bands, and written as much on the topic as I would have to be included in that number. On self-reflection, I stand as a rebuke to Bayles's thesis that following modern pop music is corrupting. In actual fact, except for how clumsy and stupid much of it is, listening to rock is probably harming no one, except perhaps by monopolizing some people's attentions beyond its merits. Listening to music that seems harsh, too cynical, and too sordid is neither damaging to society at large nor even bad in and of itself.

Why Bayles wishes to restrict pop music from dealing with dark, perverse subjects that she surely wouldn't deny literature is mysterious, or perhaps merely patronizing of a form she considers useful only for toe-tapping tunes and a chin-up optimism. As Lou Reed, songwriter for one of Bayles's bêtes noires, the Velvet Underground, always insisted, his only formal innovation was tackling subject matters that were always available to the novelist within pop songs.

So Bayles's problem is on one level a non-problem. But even if one grants that the dominance of crude, harsh musical and lyrical themes in pop is disagreeable, Bayles unfortunately disdains the one real hope for advancing her cause of good music: accepting the plurality of a dynamic market culture. In her concluding chapter, Bayles praises musicians she admires who keep flowing, to her ears, the life-giving currents of pure and decent Afro-American music. (Most of these artists are as dull as matzo, but never mind.) So music she loves still exists; some of it, like

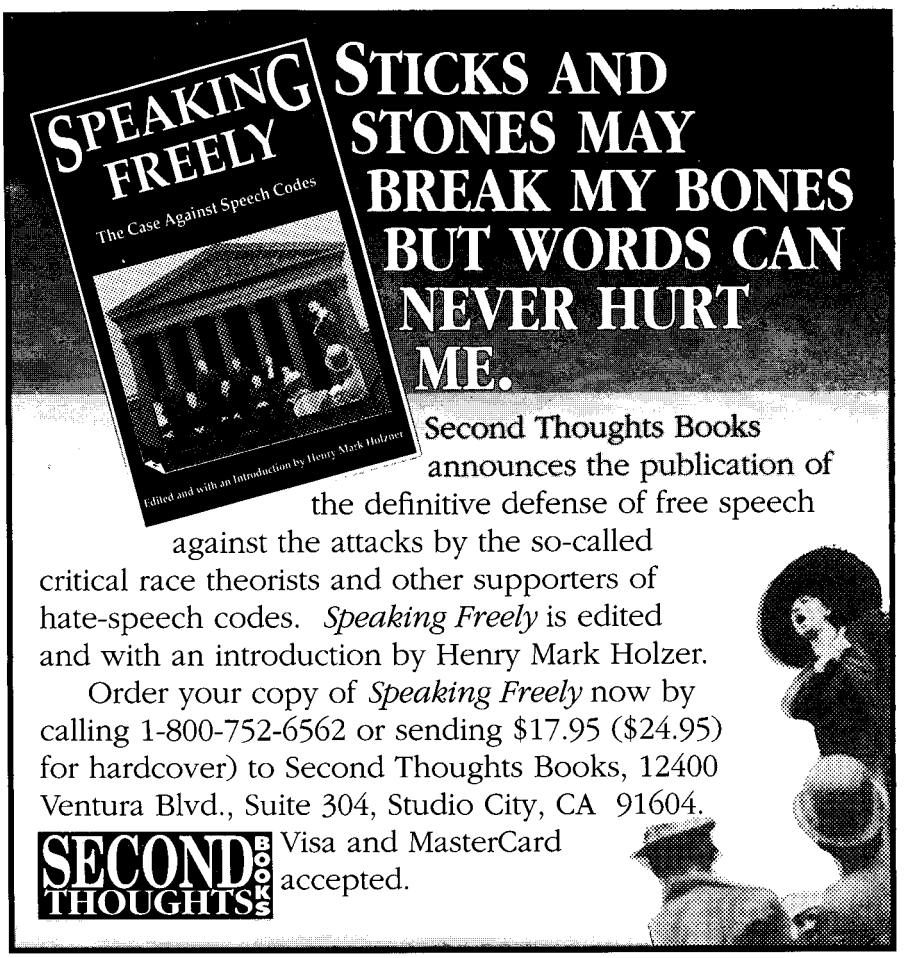
Marsalis, Paul Simon, and Bonnie Raitt, does quite well for itself in the market.

(At the same time, some of the music she disdains, like heavy metal and gangsta rap, while high-selling, is largely restricted to small and homogenous fan groups of young men and gets played on the radio only in strictly segregated formats; if not for the occasional media brouhaha about it, the people not buying it hardly would know it existed. And the social pathologies Bayles sees inherent in them are not strictly spawned by them.)

So why sweat the existence of music you don't enjoy, or even hate? The pop culture marketplace is huge; mass production, distribution, and increasing wealth have created space for almost any kind of music imaginable, sometimes selling in editions of 1,000 (or less), sometimes played only on low-wattage radio stations, sometimes performed in only the smallest of venues. Market capitalism, while it may create the Black Sabbaths and Funkadelics Bayles hates, also leaves available an enormous range—and ever widening—of music from both the past and present, including much that even a Bayles could love. In the current pop marketplace, the religious chanting of Spanish monks can top the charts.

"I am no libertarian, expecting the market to do magic tricks by itself," Bayles writes. But she doesn't notice that the market has already performed all the tricks she could hope for, short of suppressing music she hates by force. Abracadabra, more music is available to all of us every day. Maybe the music she likes (or I like) is no longer the dominant cultural trend. Bayles is obviously not happy with everything she sees. But in focusing her attention and energy on what she sees as ugly and destructive in pop, she ignores the obvious option to simply search out what she likes and to treasure it. As that satyriacal plagiarist Mick Jagger crooned, you can't always get what you want, Ms. Bayles. But if you try, you'll find that you can always get what you need. ®

Assistant Editor Brian Doherty runs an independent record label.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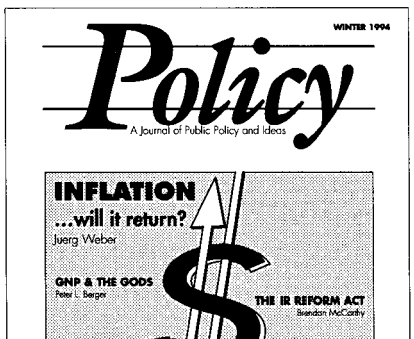

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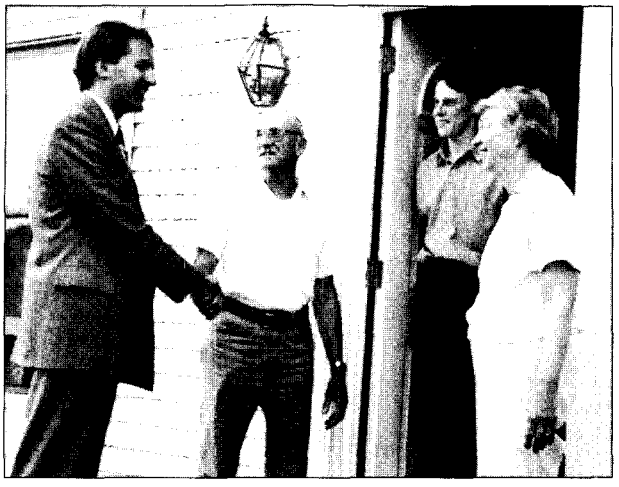
Party of One

By Jesse Walker

Michigan State Rep. Greg Kaza demonstrates the power of "marginality."



Michigan State Rep. Greg Kaza greeting constituents at their home

LAST FALL, MICHIGAN LEGislator Greg Kaza made headlines when, in a colorful protest against the corrupt culture of state politics, he held a free lottery to give away all the gifts he'd gotten from lobbyists since taking office. (The booty included tote bags, towels, and a foot-shaped mug from a podiatrists' lobby.) About the same time, he announced that constituents visiting Lansing may use his free parking place if they need to—just call and let him know in advance, OK?

At 33, Kaza is the youngest representative from the Metro-Detroit area and the second youngest in the House. Elected in 1992, the Rochester Hills Republican has acquired a reputation as a maverick, quick to buck the Republican leadership when it deviates from his libertarian principles or his district's interests. Youth, principle, political independence—in many states, this would be a recipe for marginality. In Michigan, it spells power.

Until January, the Michigan House was evenly split between Democrats and Republicans; the Democrats have since lost three seats, but legislative battles are still tightly contested. As a result, Kaza and a handful of other independent-minded Republicans have gained more influence than one might expect from such a heterodox crew.

This swing-vote power came to the fore early in 1993, when Lansing Republicans proposed a crime package that would have given police the power to enter private property without announcing themselves. Republican Gov. John Engler and the GOP leadership expected opposition from liberals, but not from Kaza, whose anti-tax, anti-spending record had led many to peg him one of the most conservative voices in the House.

But Kaza quickly teamed with Ann Arbor Democrat Lynn Rivers to pass an amendment requiring two judges to approve a no-knock warrant. For crossing party lines when they did, Kaza, along with Caro-area Rep. Dick Allen, are generally credited with sinking the bill. The middle-of-the-road *Ann Arbor News* praised their informal, bipartisan Bill of Rights Caucus, editorializing that their principled fight for "the just cause" was "refreshing."

Kaza believes his success represents the triumph of a new sort of politics. He says that, in a state such as Michigan, where voters have approved term limits for state and national officials, traditional political oligarchies are losing power. "There's no incentive anymore, with term limits, for legislators to sit there biding their time and wait 10, 20, 30 years to get the committee chairmanship that they want, to get the big legislation they want," says Kaza. "The incentive to be complacent and follow the party bosses is gone. The people who get their agenda enacted are the people like me, who are independent and make a lot of noise and fight."

While Kaza is far from enacting his agenda—*The Oakland Press* has noted that his "libertarian...Republican caucus adds up to, well, one"—he has engineered victories besides the crime package win. When the feds threatened to withdraw $500 million in transportation money if Michigan failed to adopt an EPA plan for centralized auto-emissions testing, Kaza helped lead a revolt against Washington—and won. And he was instrumental in creating the bipartisan coalition that repealed Michigan's inheritance tax in October 1993, three years earlier than the plan endorsed by Gov. Engler.

At other times, his strategically proposed amendments have undercut a seatbelt law and knocked down dubious education policies. Kaza also managed to eliminate a lavish retirement package for employees of the state's recently privatized Accident Fund, Michigan's answer to worker's compensation.

Even some of his losses have led to better things. In December 1993, Kaza proposed taxing legislative pensions at the state income tax rate. Not surprisingly, the bill went nowhere. But Kaza pressed the point, and this June, the legislature eliminated its tax on private pensions instead.

TO BE SURE, HE IS USUALLY A VOICE ALmost alone. In letters sent out to supporters, Kaza documents extensively just how often he's on the losing side, typically by votes of 94-3, 88-9, and 91-10. He was the only representative to vote against Michigan's 1994 military affairs appropriation. (No, the state isn't guarding against an invasion from Windsor, Ontario; its military monies go partly to the federal government and partly to vet-

erans' groups.) And, when voters last March were given the choice of raising either the state income tax or state sales tax to fund school reform, Kaza was the only state legislator who refused to support either proposal. (See "Engler's Angle," August/September.) He explains his position with a quote from Shakespeare: "There's small choices in rotten apples."

Kaza's independence has not exactly endeared him to the GOP leadership. Gov. Engler avoids criticizing his party's mavericks publicly. When asked about them, he likes to remark, "We don't have a room where we stamp legislators' heads and tell them how to vote." Republican Speaker

In a state where voters have approved term limits for state and national officials, traditional political oligarchies are losing power. Says Kaza, "The incentive to follow the party bosses is gone. The people who get their agenda enacted are independent and make a lot of noise and fight."

Paul Hillegonds also prefers to put on a happy face, commenting that he'd "rather have people who are representing their constituents and thinking creatively." In private, though, Engler's aides are reportedly less sanguine about the dissenters. William Ballenger, editor of the newsletter *Inside Michigan Politics*, says plainly that Kaza "has been spurned by the Englerphiles as a pariah."

Because of his willingness to buck party lines, Kaza is a cipher to most mainstream political observers. To quote the *Detroit News*, "While lobbyists and leaders acknowledge that Kaza is bright, they say he is tough to figure out." (One lobbying group that *has* figured him out is the

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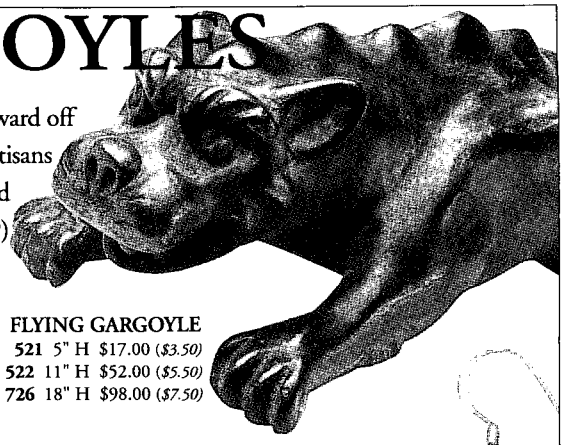

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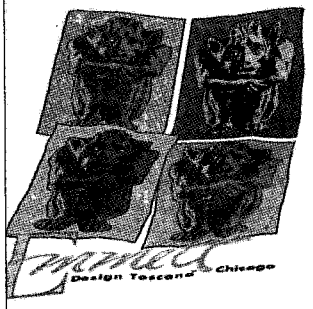

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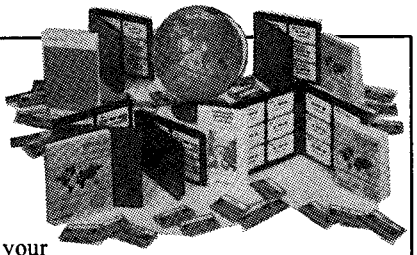

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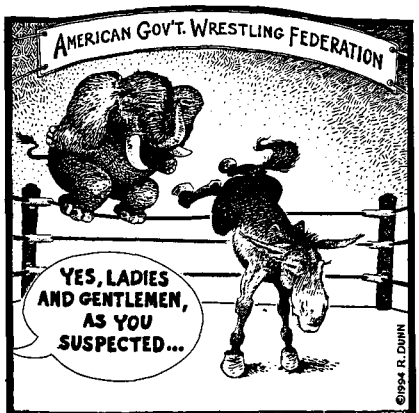

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Michigan Education Association. In 1992, they gave one of Kaza's opponents more PAC money than any other legislative candidate statewide; this year it has again targeted Kaza for defeat.)

Kaza is a Republican from a generally well-off district, a former vice president of the pro-market Mackinac Center, and a devout Christian. But he also keeps his car radio tuned to alternative-rock station 89X, is a fervent civil libertarian, and is happy to work with groups such as Common Cause on open-government issues. Before he worked at the Mackinac Center, his investigative journalism appeared in Detroit's *Metro-Times*, a left-wing weekly. (His first piece, a 1984 article about police corruption in Monroe County, helped defeat a sheriff who'd been in office for 32 years.)

WHILE LOBBYISTS AND LEGISLATORS find Kaza puzzling, voters feel comfortable with him. In this year's Republican primary, Kaza defeated his only challenger, 83 percent to 17 percent. He is very much a known quantity to his district, largely because he makes a point of being accessible to constituents.

That's something he learned when he entered politics in 1991. State Republicans suggested he run as a sacrificial lamb in one of three safe Democratic districts. Instead, he decided to take on Gordon Sparks, a wealthy establishment Republican who'd represented the 42nd District for 10 years. Sparks withdrew and endorsed a crony, leaving an open race. Kaza knocked on more than 10,000 doors, bringing his platform of tax relief, term limits, and limited government directly to the voters. Most told him that he was the first candidate ever to come to their door. A few demanded identification. Kaza wound up drawing 51 percent of the vote in a four-way primary.

In the general election, Sparks endorsed Kaza's Democratic opponent, who proceeded to run a very negative campaign ("Kaza...styled himself 'a libertarian.' The Libertarian Party's national platform calls for..."). Kaza stuck to his strategy of door-to-door campaigning and won with 65 percent of the vote.

Kaza still goes door-to-door, dropping off personalized invitations for constituents to call him—at home, if they'd like—with problems related to state government. He spends most of his working hours dealing with mundane constituent problems, such as trouble getting tax returns and permits.

For the immediate future, Kaza's agenda is filled with open-government issues such as giving citizens the right to vote on lawmakers' pay raises; getting "none of the above" on the ballot; abolishing political slush funds; putting the legislative process on-line; and having the legislature operate part-time. One of Kaza's highest priorities revolves around the restructuring of the Department of Natural Resources, Michigan's environmental protection agency. Engler has eliminated many of the department's public commissions, and Kaza, aided by several liberal Democrats, is fighting to ensure the remaining administrative processes are covered by the Open Meetings Act and the Freedom of Information Act.

Such populist measures are enormously popular right now and Kaza believes that the country is at a watershed in electoral politics, especially with the passing of term limits. "The days of political smoke-filled back rooms and power brokers and party machines electing people to office—that whole reactionary system—are gone because of term limits."

Perhaps. But how replicable is even Kaza's limited success? Few states, with or without term limits, have legislatures split between the major parties, with the extraordinary swing-vote power that situation brings. The spectacle of largely impotent libertarian-oriented legislators in New Hampshire and other states suggests that Kaza's successes may owe as much to luck as to pluck.

The young lawmaker prefers optimism. Kaza believes that more mavericks, more independents, and more libertarians will be elected. "We're the future," he says. ®

Jesse Walker is assistant editor of Liberty.

Russia's Roaring Twenties

By Martin Morse Wooster

The exciting truth about Russia may be that it is becoming boring.

When the Soviet empire was at its zenith, a common joke among Sovietologists was that however mighty and imperial the Soviets seemed, at its heart the USSR's economy was so feeble that it was little more than "Upper Volta with rockets."

Now that the Soviets have disappeared (along with Upper Volta) it seems that Russia isn't just a Third World nation with rockets; it's just the Third World. Consider the following:

• The August *Reader's Digest* reprints an item from the *Financial Times* that reports that the Russian air force is now selling joy rides to anyone with hard currency. For $12,000, you can ride a top-of-the-line MiG fighter; for $40,000, you can engage in a mock dogfight with another fighter and receive a souvenir helmet (apparently in English) proclaiming you a "Top Gun."

• A Department of Energy report summarized in the June *Atlantic Monthly* charges that 3,000 Russian officers have been disciplined for "questionable business practices" and that 46 officers were going to be court-martialed for corruption.

• In the September *Post-Soviet Prospects*, the Center for Strategic and International Studies's Keith Bush reports that, according to official Russian statistics, industrial output in that nation between January and August 1994 was 24 percent below 1993 levels, and the Russian gross domestic product was predicted to shrink by between 16 percent and 18 percent. Since 1989, Bush says, industrial output and GDP has fallen in Russia by 50 percent, "a steeper drop than was registered during the Great Depression in the United States during the early 1930s."

• Also in the September *Post-Soviet Prospects*, Robert Ebel reports that in the first half of 1994, Russian crude oil production had fallen by 14 percent compared to the equivalent period in 1993; during the same time, coal production had fallen by 11 percent and electric power production by 7 percent.

When magazines write about Russia, their pages tend to be filled with similarly gloomy reports. Lenin may have been smashed by the iconoclasts, but at first glance it seems far too many Russians are prepared to venerate Al Capone.

Perhaps the most alarming stories about Russia are those dealing with the rise of the "Russian mafia." In a cover story in the June *Atlantic Monthly*, investigative reporter Seymour Hersh charges that Russia is being taken over by criminals and gangsters. "The exponential growth of organized crime in Russia is not only an issue of personal safety and economics," Hersh writes, "it is becoming an issue of national and international security. The criminal element in Russia is now in the process of hijacking the state, and is threatening to erode the government's control" of nuclear weapons, plutonium, and uranium.

In his very long article, Hersh cites no evidence that any Russian has sold nuclear material (though since Hersh's article appeared, there have been signs that plutonium may be escaping from Russia into the world market). But he reports that in early 1993 *Literaturnaya Gazeta* writer Kirili Belyaninov, conducting an undercover investigation, was offered what he was told was a warhead from an SS-20 missile for $70,000. Nor does Hersh find any evidence that Russian mobsters have seized control of any major portions of the Russian economy.

What Hersh does discover is that a great many mid-level bureaucrats in Washington are prepared to give up on the Russian economy. Various unnamed sources compare today's Russia to the Wild West, Roaring Twenties Chicago, the American "robber barons," and the Alaskan gold rush. According to Hersh, some unnamed "Clinton Administration experts on Russia" are predicting that Russia is a second Weimar Republic, a tottering, feeble democracy about to succumb to totalitarianism.

Since readers of Hersh's article have no idea to whom Hersh spoke or what their qualifications are to comment about Russia, we don't know how accurate their predictions might be. But Russian observers willing to put their thoughts on paper are more optimistic. Russia may be going through a very hard time, but it is far from certain that the nation is doomed.

Hersh never defines what, exactly, a Russian "mobster" might be. As the *Financial Times*'s John Lloyd notes in the August 27 *Spectator*, if a Russian mobster is someone who hires bodyguards, routinely pays protection money, and

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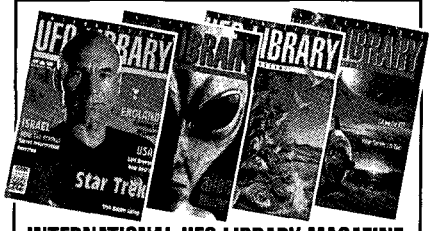

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avoids taxes, then, as Lloyd notes, most of the honest entrepreneurs in Russia are mobsters. While the people they are paying protection money to are genuine mobsters, the honest businessmen still outnumber them.

The collapse of communism, Lloyd reports, left the wealth-seeking Russian in a world without rules. Most of the newly rich Russians are not, in fact, ethnic Russians. Many are from Georgia and Armenia, and some are Jewish, and are thus the targets of envious racist anti-capitalists. Many fear that they will meet the fate of parents or grandparents slaughtered by Lenin and Stalin. And Lloyd, summarizing the research of Academy of Sciences sociologist Igor Bunin, reports that most members of this enterprising class would prefer not to live according to the law of the jungle; "they prefer to live in an environment where rational and trustworthy transactions are honored within a stable and secure framework."

Moreover, Alexei Bayer reports in the September 12 *Insight*, some of the "crimes" these "mobsters" commit are not the result of force or fraud, but simply the consequences of angering an inspector who then chooses to enforce an arbitrary and ill-conceived rule. Foreign exchange accounts can be blocked at any time, and a recent presidential decree limiting corporations to one bank account harms firms whose banks are inefficient and unreliable.

Yet the Russian economy, says the Carnegie Endowment for International Peace's Anders Åslund in the September *Foreign Affairs*, is not doomed. "The Western caricature of Russia as a destitute country on the verge of either collapse or falling into the hands of fascists could not be more wrong," Åslund writes. "Russia has undergone fundamental changes and appears to be on the right track."

Those changes, Åslund observes, are primarily due to Viktor Chernomyrdin, a secretive man who has been Russian prime minister since November 1992. When Russian voters in their December 1993 election replaced the Supreme Soviet with the State Duma, most news reports focused on the 24 percent of the vote given to Vladimir Zhirinovsky, a fascist thug. But the more important story, says Åslund, is that the Russian system of government was radically revised, with power flowing away from parliament and toward the presidency, in a system of government similar to France's. This shift ensured more stability and enabled Prime Minister Chernomyrdin to fight inflation and battle the deficit. The result: Inflation is now down to about 100 percent a year, and the Russian budget deficit is being slowly reduced. Shops are gradually filling with goods, and arms factories that considered it beneath their dignity to produce goods that consumers actually needed "now scramble to produce whatever they can sell for a profit."

Åslund advises his readers to question scary statistics about falling production. In the era of five-year plans, Soviet plants routinely overstated production to fulfill quotas; now Russian factories understate output to fool the tax collector. A more accurate measure of the health of the Russian economy, Åslund believes, is electricity consumption, which fell by only 6 percent in 1992 and 5 percent in 1993, suggesting that the Russian economy is not in terminal decline. And, while workers in many Russian professions (coal miners, professors of Marxism-Leninism) face diminishing demands for their labor, more enterprising Russians have more money to buy cars, homes, and television sets.

As for crime, Åslund suggests that while Russian big cities have become more dangerous, they're still safer than American cities of similar size. And as Russia slowly adopts the rule of law (jury trials, for example, have been held for the first time since 1917), mobsters who made their fortunes selling goods made artificially scarce by price controls or monopolizing licenses have found their fortunes undercut by deregulation.

NOTING THAT ONLY 5 PERCENT OF RUSsians tell pollsters that they are interested in politics, the September 3 *Economist* observes that "the fire has gone

out of Russian politics. While Russia will always have the capacity to deliver nasty surprises, after nearly nine months of relative political calm, it is hard now to conceive of anyone shelling parliament or seeking to overthrow the president, or of anything else that could persuade hundreds of thousands of people to demonstrate in the streets."

As Russia shows signs of slowly becoming a country as bland and stable as the advanced democracies of the West, American cries to spend billions to save the Russians from themselves have weakened. But some saber-rattlers still call for a larger NATO to combat the Russian army if it threatens to revive. Today, the jingoists contend, the Russian Army will reabsorb Belarus and Ukraine; then they will march into Riga and Warsaw; then the hungry Russian bear will restore the evil empire in its thirst for warm-water ports in Turkey and the Persian Gulf.

But this scenario, warns analyst Walter Russell Mead in the Summer *World Policy Journal*, is highly unlikely. While American forces should still defend its borders against potent Russian intercontinental missiles, he contends, such neocontainment fantasies will "weaken NATO, increase the prospects of war in Europe, increase American defense spending without enhancing American security, sharpen the threat to American security posed by Russia's still formidable nuclear arsenal, and create serious problems in regional diplomacy for the United States in both Europe and Asia."

Under Lenin, Stalin, Khrushchev, Brezhnev, Andropov, and Chernenko, the Soviet Union *was* an evil empire. The Russia of Boris Yeltsin is not imperial and not wicked; it is a struggling, somewhat democratic, somewhat capitalist society that appears to be slowly becoming more free and more civilized. The best thing America can do to aid Russia is buy their goods, disarm their nuclear bombs, and leave them alone. ®

Contributing Editor Martin Morse Wooster is the author of Angry Classrooms, Vacant Minds *(Pacific Research Institute).*

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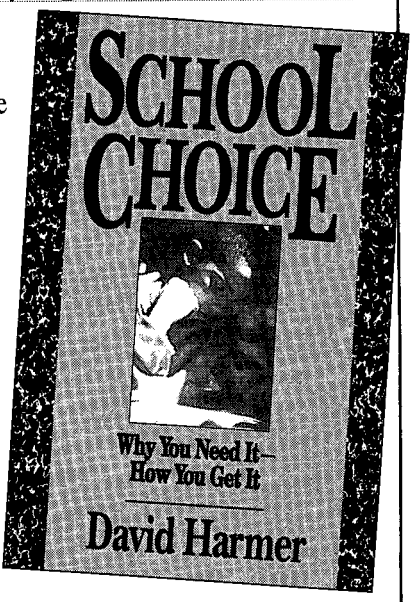

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Clintonomicus

By Thomas W. Hazlett

Economic Reality Bites and the administration

ARE WE BEING TOO ROUGH ON THE rascal in the White House? Why shouldn't we just give the man a chance? After all, he was elected. And it is, still and yet, a democracy. And there is, don't forget, a U.S. Constitution. What's the big deal? Bill Clinton can serve out his time as president, and life will go on. It's not as if they're canceling the World Series or sending the United States Marine Corps to invade Caribbean resort hotels.

Yet, I come not to bury Caesar, but to praise him. Specifically, I should like to praise the Clinton administration economists. No kidding. For I was once quite nervous as to how they might perform under the pressure of the Beltway party circuit. However, if I read Bob Woodward's delightfully detailed *The Agenda* correctly, they are doing pretty damn well considering. Not that they call all the shots, or have carte blanche to veto Hillary's madcap public gambits. But they often offer up advice that is bullish on markets.

Take the classic Clinton administration brainstorm to asphyxiate market forces: the Health Care Task Force's grand scheme to control medical costs via a nationalization of "global budgets." Price controls by another name. Alice Rivlin, then deputy director (and now director) of the Office of Management and Budget, was one member of the economic team who desired not to offend Hillary Clinton and Ira Magaziner...but—

According to Woodward's account of a health-care meeting with all the administration players assembled: "There was silence around the table. No one favored the controls, but no one seemed to want to speak up. Who was going to fall on the sword first?

"Alice Rivlin stepped forward and ripped the notion hard. Nixon had tried price controls and they had failed, she said. An intricate health care system would require equally intricate price controls, a complicated task that would take weeks or months to figure out. Her remark started an avalanche. Laura Tyson wondered how price controls might be put in place. How would the government gather the data? How would doctors and hospitals and others report? It probably would take a year to 18 months to implement even short-term controls, she said. And that would presumably be the point at which full reform would begin and price controls would supposedly not be needed.

"Alan Blinder said that one of the first new messages from the new Democratic administration should not be to put one seventh of the American economy under the command and control of the federal government. That would only reinforce the notion that Democrats didn't like free markets."

Excellent perception, Alan. Hope your crystal ball at the Fed works one seventh as well.

WHAT SEEMS TO GRIPE THE ADMINistration's political whizzes is economic analysis itself—it's so stuffy. Economics warns of the second- and third-order reactions to top-down social engineering that sees only first-order consequences. And it cruelly binds the yarns one can spin: Its reality coefficient is way too high.

The passage that follows, a confrontation between Rivlin and Clinton campaign hustler Paul Begala, reveals a visceral repulsion for the economic way of thinking harbored by Clinton's politicos. The issue: How to explain the president's flip-flop on fiscal matters (such as the campaign pledge for a middle-class tax cut) early in the administration.

"When Begala...arrived, Rivlin was on the phone and eating a chicken sandwich, which Begala noted was dripping from her chin. [That's the way economists do lunch, Paul—TWH] 'So what do you guys want?' she asked....

"'We have to walk people through the journey the president has gone from November to February. We have to explain why the deficit got worse and how it got worse,' Begala said, focusing on The Story.

"'That's nonsense,' Rivlin said bluntly, her voice cold with assured professionalism. 'Bill Clinton knew where this deficit was going,' she said, adding that they had to face the fact that the campaign fundamentally misrepresented the situation....

"Begala was steaming. To him, Rivlin symbolized all that was wrong with Clinton's new team of Washington hands, and represented the Volvo-driving, National Public Radio–listening, wine-drinking liberalism that he felt had crippled the Democratic Party for decades."

How I wish that Begala were, for once in his short life, right. An objective accounting will note that Rivlin's brave protests had zero impact on either the president's health-care debacle or on The Tall Tale he told regarding the federal deficit.

Still, my hat goes off to Mr. Clinton: He may not have the integrity to accept the reality that his economists explain to him, but at least he's had the smarts to seek their counsel before ignoring it. This yields a certain measure of hope. Perhaps one day soon he'll lay down some Astroturf in the back of a Volvo station wagon. Better public policies could be just around the corner. ®

Contributing Editor Thomas W. Hazlett teaches economics and public policy at the University of California, Davis.

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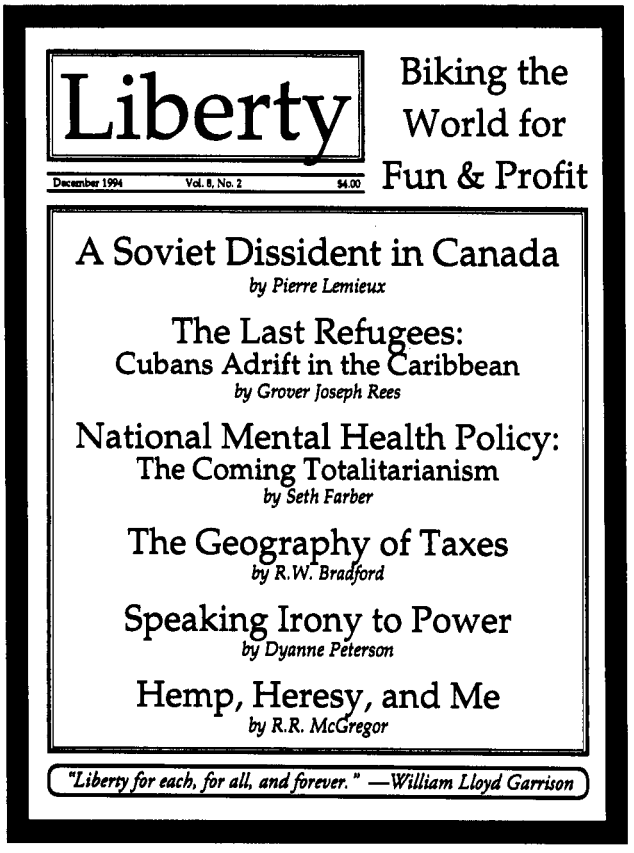
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